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ABSTRACT

This document contains the proceedings from a conference of state and local narcotics enforcement officials from 24 states and 14 city agencies. Statements from three members of the Select Committee on Narcotics are followed by discussions involving committee members, attendees from state and local agencies, and participants from several federal agencies with drug enforcement responsibilities: the Drug Enforcement Administration, the Customs Service, the Coast Guard, the Federal Bureau of Investigation, the National Narcotics Border Interdiction System, and the White House Drug Abuse Policy Office. Discussions are presented which describe drug-related problems faced by state and local agencies, agency efforts to deal with such problems, existing assistance from the federal government, and suggestions for future assistance from the federal government. Participants' statements, emphasizing the need for cooperation from the federal government in local law enforcement efforts, from planning and policy stages through implementation of efforts and information-sharing, and local needs for money and resources are presented. A list of conference attendees is followed by a summary of a survey in which state and local law enforcement agencies evaluated federal cooperation and assistance with respect to a variety of drug law enforcement objectives. (NRB)

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STATE AND LOCAL NARCOTICS LAW ENFORCEMENT CONFERENCE

HEARING

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

SECOND SESSION

SEPTEMBER 18, 1984

Printed for the use of the
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STATE AND LOCAL NARCOTICS LAW ENFORCEMENT CONFERENCE

TUESDAY, SEPTEMBER 18, 1984

House of Representatives,
Select Committee on Narcotics Abuse and Control,
Washington, DC.

The committee met, pursuant to call, at 9:40 a.m., in room 2247, Rayburn House Office Building, Hon. Charles B. Rangel, presiding.

Present: Representatives Charles B. Rangel, Daniel K. Akaka, Benjamin A. Gilman, and Lawrence Coughlin.

Staff present: John T. Cusack, chief of staff; Richard B. Lowe III, chief counsel; Elliott A. Brown, minority staff director; John J. Capers, investigator; Catherine M. Chase, clerk of the committee; George R. Gilbert, counsel; Edward H. Jurith, counsel; Michael J. Kelley, counsel; James W. Lawrence, minority professional staff; and Catherine H. Shaw, minority professional staff.

STATEMENT OF HON. CHARLES B. RANGEL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. **Rangel.** Good morning.

I'm Charles Rangel, and I'm the chairman of the Select Committee on Narcotics Abuse and Control.

It's a very unusual committee. It's appointed by the Speaker. And soon I'll be joined by the ranking minority member of that committee, Ben Gilman. And I mention him particularly because we're not a Democratic-controlled or Republican-controlled type of committee. All of us have our own committee assignments.

I'm on the Ways and Means Committee, which is certainly a job by itself. Ben Gilman serves on the Foreign Affairs Committee.

But all of the members of our select committee that are appointed, especially by the Speaker of the House, serve on the Armed Forces, Foreign Affairs, Science and Technology, a variety of legislative committees.

And yet, when we deal with the serious problem of addiction and narcotics control, we have seen, over the years, that the jurisdiction has spread throughout so many different standing committees that there was no single one place in the House that we could get some type of a handle on this very serious international problem, the one that was certainly gnawing away at the very vitals of our great country.

For that reason, some 6, 8 years ago, this select committee was formed with members from all of the committees that have jurisdiction, both Republicans and Democrats, to see what we could do in recommending and supporting legislation to try to get some kind of handle on this very serious situation.

We have found that no matter what administration is in power, whether it's Republican or Democrat, when we take a look at the international problem that we're facing, that with most of the drug-producing countries it seems to be something that happens even to the best of us when they join the State Department, and that is that they just don't like talking about it.

And we can send money to them. We can send military assistance. We can send grants and other aid. But somehow when it comes to what they are doing in violation of international treaties, it's very difficult sometimes to get our Secretary of State to speak out on it, our Presidents and, most importantly, our ambassadors, because there's something about offending a host country that we just don't like to do no matter what our mission is.

Jamaica is really a case in point. It deals with ganja, but here is a very friendly country that, in the eyes of our State Department, is on the brink of collapsing economically, could be swallowed by the Communists, asking for extensive American assistance. But still we have to walk that very sensitive path and make certain that we don't offend them, for fear that they might be offended by our conduct and then conduct their foreign policy in a different way.

We like to get involved with some of those things because today, in our conference, we do have members from the administration that have been kind enough to join with us. I don't see—well, yes, Dan Leonard is here. And he's the Deputy Director of Drug Abuse Policy Office from the White House.

But I think Dan will be the first to say the White House and State Department are two different entities. In any event, we will share with you—and the White House is here to discuss with you their view on it. But we tried to bring in other people as relates to law enforcement from the Administration, and we have Frank Monastero, who is the Assistant Administrator for Operations for the Drug Enforcement Administration. He's here.

Would you put up your hand if you're here?

[Show of hand.]

George Corcoran from the Customs Service.

[Show of hand.]

Great. Thanks. Good to be with you again.

Rear Adm. Norman Venzke from the Coast Guard.

Floyd Clarke from the Federal Bureau of Investigation.

[Show of hand.]

Great.

And Dan Leonard, who I mentioned before, and also Captain Schowengerdt.

[Show of hand.]

That's great to see him here, because he's from the National Narcotics Border Interdiction System, Office of the Vice President.

I don't want you to get overwhelmed with all of the different people that we have fighting this great problem, because we, in the Congress, are overwhelmed with all of the people that are fighting on the national level.

Before I came—we're joined by Larry Coughlin.

Before I came to the Congress, I was in the State legislative body. Whenever we had any serious type of State problem, we always said, "Well, there has to be some solution to it in Washington. We know they're working on it. And, my God, those fellows in the Congress have the best possible advisers; they work closely with the White House, so they must have a solution."

Well, I've been here 14 years, and I don't have the luxury now of depending on the Congress for a solution.

In any event, one of the things that we have seen as our committee has gone around the country is that this administration, as those that preceded it, has always felt quite proud of the relationship and cooperation which they have extended to local and State law officials.

And I think they have assumed the position that while the Federal Government has the responsibility of dealing with the international trafficking—and I think they will assume further that, with all of our effort, it's not getting any better but, indeed, it's worsening—that as far as law enforcement is concerned, notwithstanding the Federal laws against narcotics trafficking—and I say that as a former Federal prosecutor—that the basic responsibility for enforcing narcotics laws remains with local and State governments.

And I say this notwithstanding the fact that 75 percent of the marijuana that's consumed in the United States comes from foreign sources, and all of the heroin and cocaine comes from foreign sources. But somehow they have developed a strategy that the task force will be the answer to our problems and that resources, intelligence, and information would be shared.

Now, we have a problem here in Washington in saying all of this is wrong. We have a problem in the Congress saying that it doesn't really work that way. And that is the reason why we have asked you to come to assist us in developing the role and relationship between the Federal Government and local and State law enforcement agencies. The reason for it is that some of us on the committee are frightened to death as to the image of law enforcement around the country as we see the violators of the law having more resources than those that have been sworn to uphold the law.

We had our committee in California, where a sheriff was recently elected and he was showing us the difficulty they had in raising the taxes in order to bring the indictments in order to prosecute the people in order to have the trials in the town, even though he had identified 18 marijuana plantations.

Now, he runs for reelection, he didn't have the resources and it meant that, as far as he was concerned, law enforcement came to a shrieking halt. He couldn't make the arrests if the DA wasn't going to prosecute; the DA wasn't going to prosecute because there was no money for the trial. But to the town, they felt that the law enforcement people were corrupt because they had identified people in that town that were financing these operations. As a matter of fact, the plantation growers in that particular town—one of which was on television with me—indicated that they were the prime source of economic development for that town, and so no one was really going to touch them. That if you looked at the hardware store, you would see, when it came to barbed wire, guns, ammunition, booby traps, they were the ones that were responsible for it.

That if you went to the nurseries, when it came to fertilizer, irrigation processors, all of the sophisticated equipment that these people were using, they were the ones that were bringing that to town.

So that, overall, the town was doing a heck of a lot better.

So, those that were involved in law enforcement had to throw up their hands. And of course, those in the town just assumed that law enforcement and the businesses of the Chamber of Commerce were doing business as usual.

We were shocked and surprised, even in my great city, to see that policemen at one time—and we've had to change the law—could not even make local arrests, because there was just too much money in the so-called smoke shops. And the hierarchy did not believe that the local law enforcement officer was turning in all the money.

Local State prosecutors could not prosecute the cases on time. We have a speedy trial law which says that you don't keep the people in jail if they ask for a trial. Defense lawyers knew that if they asked for a trial that the State couldn't give them a trial, the results being that honest citizens that were cooperating with the police would see that the very people that were arrested on one day beat the policemen back to the block the next day, and they knew exactly who had turned them in. And in many cases there was no real belief that there would be a prosecution. And to a large extent, in the city of New York and other major cities, people know that it's almost impossible.

What State—what city was that in Texas where the sheriff told us—in Brownsville, TX—that if there's one crime that people almost have immunity from it's drug trafficking. because he just didn't have the resources to deal with it.

You people out there on the front line, this Congress wants to make certain that we don't let you down. We understand, from the Drug Enforcement Administration, that we have these task force—these partnerships. We understand that they share resources and they share intelligence. And we understand, too, that we can't afford to allow this to become a political issue. Certainly, your background, your training, your experience would not allow you to be able to protect the shield, your office, and your local and State governments if you got involved with who's right and who's wrong in Washington.

But there's one thing that we thought and that is that we cannot legislate, we cannot agitate, we cannot educate if we're not there asking you exactly how do you see the problem, what is the degree of cooperation, are you getting the resources you need, is the intelligence being shared with you and, in my opinion, one of the most important issues, and that is, is your work being respected in the community and do people believe that even though you have not resolved the problem that you're moving toward getting a handle on that problem.

Because what I fear the most is when individual citizens start believing that not only no one cares but that we're not doing anything in the Federal Government, we're not doing anything on the international level and, certainly, that we're not doing anything on the local level.

We hope that through this honest exchange—we have had them in Florida, we've had similar meetings in New York City—and we do hope that if nothing else comes out of this type of conference, you will be free and better able to understand the relationship you have with your Members of Congress and we hope that before any of you return to your home States you call up your Member to let him or her know you made this trip to Washington because you were concerned about the narcotics problem and you're anxious to work with them and the committee toward establishing a better working relationship.

Second, these gentlemen from the administration are here to try to answer any questions that you have. But if they don't have any answers, you can rest assured that we, together, will come up with the answers to make certain that you do get it—if not today, then certainly back home.

And last, we'd like to get your advice to see whether or not these type of conferences make sense. Naturally, we reserve comment on that until the close of the day to see whether or not these types of readings really are worth the time and effort and expense to pull them together.

I do know that most of you belong to international and, indeed, national organizations. It could very well be that those of you that do attend regular meetings might want to set aside some part of that meeting to have Congress and the administration come and answer some of the questions you may have.

If, on the other hand, this works out, you might want to institutionalize this so that, on a regular basis, on an annual basis, you might be able to come and hear what is being done on the international level.

Do we have anyone from the State Department coming?

Mr. CUSACK. No.

Mr. RANGEL. No.

What is being done, what should be done, and what progress is being made.

Certainly from the FBI and the DEA you'll be hearing a lot of information which they'll be able to give you as to what their strategy is.

And I think, for now, I would like to ask Larry Coughlin whether he would have any opening remarks, because the success of this conference really depends on you and he getting this thing off the ground. Larry.

Mr. COUGHLIN. Thank you very much, Mr. Chairman.

I just want to join in welcoming the participants in the conference. We really are very pleased that you took time from your busy schedules to come here and join with us. Certainly, as you look at any such conference, the one result that—and it practically always comes out, is to save more money. And I guess one of the things I had hoped we'd do is look somewhat beyond that—sure, more money is always necessary—but to try and look on the better use of the money, as well as just not looking at really more.

And I'm grateful to you, Mr. Chairman, for assembling this conference.

And thank you very much.

Mr. RANGEL. Thanks, Larry,

Now, staff has put together an outline, which we're not locked into, because we can develop the leadership here and formulate our own agenda. But Jack Cusack is in charge of our staff down here. Most of you know that he spent a great part of his life with the Drug Enforcement Administration, with the Federal Bureau of Narcotics, with—what else did you call yourselves?

Mr. **Cusack**. BNDD.

Mr. **Rangel**. BNDD.

As a matter of fact, I first got to know him when he started saying there were labs in France and France was saying they didn't have any labs, and our country was saying, "How dare you insult the integrity of the Government of France?" So, they kicked Jack out of France and knocked off 19 labs after they brought him back home, because he didn't know how to do it in a diplomatic way. And he's trying to assist us in being diplomatic.

Dick Lowe is the—is our chief counsel for the committee. And Elliott Brown is also our counsel; they refer to him as the minority counsel. But as I pointed out, we don't work on the committee as Democrats or Republicans but try to work as just one team.

The staff has outlined the possible suggestion that the conference could get into the role and relationship of Federal/State and law enforcement agency and narcotics enforcement.

And then, they've outlined a 1 o'clock break for lunch. And we have adequate facilities right here in this building and on the Hill. And those of you that might want to visit your Congressperson, we can arrange that.

And then at 2:30, the discussion—no, 11:30, discussion 2, "Intelligence Sharing"; 2:30, discussion 3, "Resource Sharing"; and 3:30, a review of what we've accomplished.

I don't think anybody is going to be held to this format, but we do ask, as we kick this thing off, that if you could come and speak into the mike, announce your name, your office, and what police agency you represent—and we like for you to speak loudly so that all can hear.

I had hoped that we could have had a different type of setting, but we were unable to get the room, because we don't want to give the impression, as we do in hearings, that we're just sitting up here listening. We hope to be able to participate with you and to share our experiences.

So, maybe we can start it off by seeing whether or not some of you out there would like to start off on the conference discussion. I don't know—Dan?

Mr. **Leonard**. Can I address one thing in your statement first?

Mr. **Rangel**. Sure.

Most of you know Dan, who's with the White House and who has been working with us over a number of years.

Mr. **Leonard**. Unfortunately, State isn't here. And with my Brooklyn accent, it's a little difficult to talk like a State Department person. But—I don't know whether you're aware of it—for the first time Secretary Shultz made a very strong narcotics speech in Miami. And second, no ambassador that goes to a producing or transiting country anymore goes there without going through our office.

And Corr, in Colombia, Jordan, some of those people have been taking a very strong stand, Mr. Rangel. As a matter of fact, we've had to get some of their families out.

So, I mean, State is onboard. They're doing their job.

Mr. **Rangel**. Let me tell you that Ambassador Corr and Ambassador Tamps represents the highest type of public service that I've seen in my life. And we are so pleased that after 3½ years our Secretary of State has seen fit to give a talk on narcotics to the Spanish-speaking people in the chamber of commerce in Florida, you know, on the eve of the election.

But what I'm saying is that I had hoped, with—you know that we've had to wake up some of our ambassadors. You know that the State Department has thanked us for visiting these countries to tell them that we consider the production of opium and heroin a threat to our national security. And you know that I have been very critical of the silence that's been heard from our representatives in the United Nations.

Now, I admit that I am rather harsh on this administration as to one that preceded it. And as far as I'm concerned the only administration that really had a handle on this was that of former President Nixon, where he insisted local law enforcement had a Federal presence in local communities and certainly had a no-nonsense attitude with those countries that would take our money and not have an agreement.

Now, we don't have one country that has an agreement—yes, we do, Bolivia has an agreement, and Mexico. And that's the total of the agreement of countries that receive our foreign assistance that are involved in drug production. And maybe we're doing the best we can, but I think we can do better.

But you've heard from the White House, Dr. Carlton Turner is represented here.

And please, Dan, why don't you come on up here, because there may be a lot of other questions that you could help us with.

Mr. **Leonard**. I'm more comfortable out here.

Mr. **Rangel**. OK. [Laughter.]

Let's get started, then, and see—yes, sir, please come forward.

[Pause.]

Yes. I'm sorry. I've just been advised that my long and dear friend, Pat Murphy, is here somewhere. And I want to thank him for the assistance that he's given to us over the years in the city of New York as a former police commissioner, as well as the Nation, and hope that—we knew that this is the way that he would retire, getting right back into it. And we welcome him on the Hill again.

Yes, sir.

[The opening statement of Chairman Rangel appears on p. 80.]

Mr. **Constantine**. Congressman, my name is Col. Thomas Constantine from the New York State Police.

And despite your attempts to make me feel at ease, I see on your roster you have made me a captain. I've been fearing, since I drove down here, that if I made a misstatement, that that may be true. [Laughter.]

In that line, our superintendent, Dan Chesworth has a prescheduled meeting in Albany and could not make it. We would like to give you the New York State Police perspective of our relationships with the Federal and local agencies and also the narcotics problem as we see it, if you don't mind.

To many of you, you may know this, we're a full-service police agency. We have about 3,800 people. And mainly, our police responsibilities, other than highway safety, are in the suburban and rural areas of the State. However, we have a number of specialized plainclothes units that are active in the metropolitan areas of New York State.

As a result of the tremendous rise in the abuse of narcotics and dangerous drugs that commenced in the 1960's, the New York State Police have been forced to divert a substantial amount of resources to drug enforcement. Each of our 10 troops have a major narcotic unit dedicated to the investigation of mid and upper level narcotics traffic.

And just within the coming week, as a result of Governor Cuomo's request, we have assigned another 30 people to work in the area of narcotics and dangerous drugs.

We are involved in a special effort to assist the citizens of New York City by participating in the drug enforcement task force with the DEA and the New York City Police Department.

Our experience in drug enforcement is we had 7,500 drug arrests in our agency last year, from the smallest seizure up to and including one of 1,600 pounds of cocaine, which was a DEA Task Force case that came from New York City and Long Island.

As a career police officer for the past 25 years, I have seen the narcotics problem and attendant enforcement strategies evolve from an isolated social problem to a cultural crisis.

After having worked narcotics and organized crime investigation in every area of New York State and with virtually every law enforcement agency, there is an obvious trend. The trend is that there has been an increase of cooperative efforts in law enforcement, and especially in the area of narcotics.

The very nature of narcotics investigation mandates the need for cooperative effort. The substance is usually grown in a foreign country, manufactured in another foreign country, and smuggled into the United States for use by Americans.

At each stage of this process, the endeavor is controlled by a sophisticated organized criminal conspiracy. In order to combat this type of criminality, it is essential for the Federal, State, and local agencies to create enforcement networks that parallel the criminal element.

This continuing improving effort is visible in the drug enforcement task forces in which we participate, the U.S. attorney's law enforcement coordinating councils, the technical assistance and training programs that are increasingly offered by the Federal Government.

We, in the New York State Police, are especially appreciative of the assistance we have received from the Federal and local agencies.

And I personally—I can't begin to tell you the number of times that the DEA or the FBI or the New York City Police Department have given us tremendous assistance, helping us to culminate successful investigations.

Unfortunately, as the unusual incident that some would point to is evincing a lack of cooperation. It is my experience that such incidents are not institutional or structural, but rather isolated personal conflicts.

We must always remember that law enforcement is a people business, with all of the assets and liabilities that accrue from such relationships.

Just as friends, family, coworkers sometimes have disagreements, so, too, will law enforcement officers. However, such disagreements do not always have to be negative and, if restructured and controlled, sometimes can be beneficial.

What we need, the people that I've talked to that I have working narcotics, which is roughly almost 150, is more money and resources and legislative assistance.

One example—I know the Congressman mentioned sometimes money is difficult to get, I'm aware of that—but sometimes procedures could help us.

It's our understanding that the Federal government, the DEA, and the FBI are involved in a number of operations where they seize a number of motor vehicles, planes, and boats. And they can't use them all for their own particular business; they run through, apparently, a Federal system where other agencies bid on it. At that point then when they're finished with that, which is a lengthy process, we're given to understand it is sometimes sold at auction.

If something could be done to expedite the process to release these types of vehicles to local police agencies, I know in our agency it would be a tremendous assistance.

Well, I just wanted to say that we do appreciate this opportunity that someone in Washington—and I can say that I'm glad I'm through with what I had to say, because I've never been in Washington talking to anybody before. And I'm just a police officer, and I just say that it's something positive for us, someone's concerned, and perhaps there will be some assistance that would follow.

Mr. RANGEL. Well, we're glad to hear that. And we do hope that even those that get ideas, that you might be able to feel free to write us, especially as relates to confiscated property, I think, which you mentioned, and other things that you may have a concern with.

Are there others from New York that would like to complement what the colonel has said?

We have some people here, I think, from the city police department.

[Pause.]

Do you have any ideas that could jibe in with what the colonel was saying as it works to the relationship between city, State, and Federal government?

[Pause.]

Or any recommendations that you would have as to how we could be of better assistance to you in doing your job?

Mr. REUTHER. I'm Chief Charlie Reuther, New York City Police Department, Narcotics Division.

Tom and I have met several times before in our capacities on the joint task force. And I can only pick up on his comments, that it is an excellent cooperative effort which has achieved, I think, significant results.

The problem in New York though is probably as large or larger than anywhere else in the country. We have seen, in addition to the large seizures which are made by the Federal units, the taking over of sections of our streets by addicts and by the sellers. And we have devoted a significant number of resources to the eradication of many of these street conditions.

And it would be our desire that the Federal Government would increase its efforts in the interdiction of the drugs across our borders which afflict our community.

We understand there are difficulties. But as the mayor has said, the drugs are not grown—it's not a homegrown product; with the exception perhaps of some flower-pot marijuana, it's all imported.

And we think the prime concern of the Federal Government should be the protection of our borders from the importation of this plague.

I thank you, Mr. Chairman.

Mr. RANGEL. Chief, the reason that we called you gentlemen and ladies in is because that's just not going to happen. And I'd like to go home and to join with you to say, of course, if we could keep this poison out, either by dealing with the offending nation or by increasing our border interdiction—but Dan can tell you that everyone is pleased with the progress that we've made; right? That we're moving forward; right?

But I think Dan, in representing the White House, would tell you that this year we'll expect more opium than we ever had, more cocaine than we ever had, and more marijuana than we ever had.

Oh, we've got things locked into place and progress is being made and agreements are being signed and Colombia is now stepping up enforcement in a way that they never had—it's a signal to Bolivia, and we've stopped it in Turkey, the doors are open in Afghanistan and Iran. A lot of things are happening out there.

But I guess what we're saying today is until we can get a handle on that, we're talking what? 10 years down the line.

Mr. LEONARD. Maybe not that long, however. They're eradicating—in marijuana right now. They're up to 3,000——

Mr. RANGEL. We hope that they can wipe it out in Colombia. We hope that we can have a concentrated effort in wiping it out in South America. But if we have—well, the history, what has happened, wherever we are successful, it shows up someplace else. I mean, we knocked it out in Turkey, it shows up in Mexico. Then, we got the Asian stuff, and now we have the Middle East stuff.

So, from a law enforcement point of view, how many crimes are related to drugs in the city of New York, roughly? How many people in jail are there because of drug-related crime? 60? 70? Sometimes——

Mr. REUTHER. Probably over 50 percent. It would only be a raw guess, but I would suspect over 50 percent.

Mr. RANGEL. All right.

And so it's just difficult for us to be able to say that they can go to the people that they're serving and say the Federal Government should be clamping down.

I think that Dan and others would be able to show you that we have had a stepped-up effort. But it's not helping us on the street. And each time you fellows do a better job, then we hear from the rehabilitation centers saying that, you know, "We've got longer lines now than ever before." And indeed, sometimes we think they may be a reflection of an increase in violent crimes, robbery, and mugging.

But we have had some new methods that our new chief of police has developed in New York City. And the padlock law is one which I wish you might share with your colleagues, because we have found that to be one of the most potent tools that we're able to use.

And also, you might report, for what it's worth, for the benefit of those that come from larger cities, what we've done with the intensive arrests that you've been able to do in Harlem and on the East Side and let us know whether you think it served as a deterrent.

We're joined by Ben Gilman, who will make an opening statement as soon as you finish, Chief.

Mr. Reuther. Yes, well, the padlock law is a brand new law, and it was passed earlier this year. It's a local law, strictly applicable to New York City. And its effective date was September 10.

The law provides that for certain specified crimes in the area of narcotics, gambling, prostitution, and auto larcenies, where two or more arrests with convictions have taken place within a 12-month period, there is a third triggering arrest made in that same premises and an administrative hearing under the auspices of the police commissioner is conducted with the landlord or owner of the premises.

The administrative hearing can result in what we call padlocking that particular premises for up to 1 year—by padlocking, will mean that no one can enter or remain in that premises to conduct any type of business, with the exception of perhaps rehabilitation by contractors or something to get the place in shape for a new tenant.

But, effectively, the landlord will see no economic gain from that premises for up to one year if it's continually used for these types of crimes.

It is hoped that this will bring an impetus to landlords not to wait for these administrative hearings but to take action themselves to evicting public nuisance tenants. And what we are doing is notifying the landlords after the first arrest, whether we have a conviction or not. As soon as we have taken arrest in these targeted premises, a letter will go out to the landlord advising him of the arrest.

And we're hopeful that the landlord will thereupon take his own civil measures to evict the tenant who is offending both the statutes and the community with the type of blight that he brings upon the community with these types of violations.

Mr. Rangel. Our police chief was telling us a year ago that, with the task force, that he didn't think we were getting too much bang for our buck with the number of policemen that we had assigned to the task force—I think at that time there were some 70 men—that he really thought that he could do better with those 70 men out there in the street enforcing the narcotics laws than he could in sharing them with the Federal task force, Has there been any change in attitude in the city of New York as relates to the Federal task force?

Mr. **Reuther**. Yes; the Commissioner has met with Bud Mullen, and the belief is, at this time, that we will continue at full participation in the task force, that the results—well, actually, what we need is a multifaceted approach to the drug crimes. And the Federal task force, the joint task force with the DEA, represents one approach to that multifaceted approach.

So, I foresee no reduction in commitment at this time on the part of the administration.

We, similarly, are involved in the Organized Crime Task Force with the FBI. We have another group of people, about 13, who work exclusively on that, pursuing nothing but high-level heroin cases.

And within my own division—as of yesterday anyhow—there are 520 officers and civilians employed in the narcotics division exclusively working on narcotics cases, both at the street level and at the midlevel, in addition to the many uniformed people who make either pickup arrests or, in some of our operations such as Pressure Point and Close Down, take an active part in seizing back the streets from the drug users.

Mr. **Rangel**. That's great. How does that compare to the number of Federal investigators, narcotics investigators, in the city, roughly?

Mr. **Reuther**. Well, the DEA is comprised—and these are rough figures—we have about 75 people in it. The DEA's commitment is about 32, and the State police has about 22—give or take a few on each of those numbers.

Mr. **Rangel**. Now, if you've increased the narcotics enforcement part of our New York City Police Force, what effect, if any, does that have on the prosecutor's office or the court system, because the last conference we had, as opposed to hearing, they were complaining that unless we reinforce all parts of the system, that a weak chain could break down—that is, that they would welcome more arrests, but they couldn't handle it.

Has that been reinforced as well?

Mr. **Reuther**. Well, I'm sure that none of the elements of the criminal justice system are happy with the amount of resources they have available. And I'm sure they could all use more.

Certainly there runs a saturation point in both our municipal and State penal facilities, where they can only hold just so many. And frequently the facilities are under restraints due to Federal litigation on how many people they can actually put in a facility.

We have embarked on a program in cooperation with the Federal attorney in the southern district where some of our low-level street arrests in the Pressure Point areas are prosecuted federally. We have several hundred at this point, and the initial results appear to be quite good in that the sentences appear to be more significant than we've realized at the local level.

Mr. **Rangel**. I'd like to add that our State prosecutors are also working with the Federal prosecutors to determine which cases should go for the more severe treatment by the Federal Government, and we're pleased with that.

Well, I think, for purposes of our discussion today, we should operate on the premise that we shouldn't expect any decrease in the amount of drugs coming into the United States for the next couple of years. Or to put it another way, there won't be any substantial decrease that you'll be able to see as it affects your discussion here today. Is that fair to say, Dan?

Mr. LEONARD. I disagree.

Mr. RANGEL. Oh, come on, Dan. We want to be—not withstanding the great efforts that are being made by this administration and the outstanding people that are associated with it, there is no reason to believe that this year or next year we'll see less junk in our streets.

Mr. LEONARD. Well, I'll bet you a dinner that we'll see less cocaine by March 1985.

Mr. RANGEL. OK. We certainly pray with you on that.

Mr. REUTHER. May I just say, as an undergraduate accountant, I can only register my disappointment in the bottom line, that we will not see a reduction certainly at least until March in cocaine. And I didn't hear anything about heroin.

Mr. RANGEL. Well, what I'm saying is that my comments are not meant to be critical of the administration. What we haven't had is an open discussion as to just how serious this international problem is. And we have visited the countries. We have had foreigners try to stick up the U.S. Government. We have seen where what you would want us to do is to rush in to these poor folks that are dealing in cocaine and dealing in opium and to give them substitute crops and technology and fertilizer, and we've done all of that. And they're growing cocaine and the substitute crops and still receiving the money.

And so what I'm saying, you name the country and I'm telling you that we expect a bumper crop.

Now, that's sad, but it's the fact. And we can't get away from it.

I mean, they shot down the Justice Department Chief of Justice in Colombia, and so they retaliated and said they've got to think about enforcing the damn law now—you know, they're knocking off Colombians. And that's how bad it is. And we've got the greatest Ambassador in the world down there, but it's bad.

And all I'm saying is that the buck stops with us when all of you tell us back home, "Stop it from coming in."

And this ends, you know, the town hall meetings. You say, "You're doing the best you can," but "You fellows in Washington are just going to have to stop that poison from coming into the United States, because it's really an international problem and we're local law enforcement officers."

The purpose of our conference today is that if you assume you're not going to see any lessening of it—we went to a town in Miami and we asked—not Miami—in Florida— —

VOICE. The State of Florida.

Mr. RANGEL. The State of Florida.

And the mayor was saying how difficult it was because there was more money in cocaine than there's ever been in the fishing industry and that a guy can make more in one trip to the mother ship than he could working all year.

And I said,"Well, Mr. Mayor, you know, you have the Federal law enforcement people. I mean, did you ever call and ask for help?"

He says, "It's very difficult to call the Feds in on your family and friends." And that was the mayor's view of how bad the situation was.

And finally the Feds did come in there and arrested half the town.

So, it's bad. And we all are working down here, and we'll be able to share with you some of the things we're doing, some of the agreements that have been made, some of the laws that we've passed, indicating that Gilman and I got together, drafted something, worked with the State Department, fought with the State Department, got into law that unless they show us a plan, then they can't continue to get foreign assistance.

And we've had similar laws on the books that have been ignored by the executive branch of Government. We've got the Caribbean Basin Initiative. We've also got restrictive language there.

The Coast Guard will be able to tell you that what they have been doing is they've been involved in this work, and certainly the customs. But you can't go back home believing that the junk on the street is going to be alleviated as a result of interdiction or international treaties or cooperation. We have to believe now that it's going to be rough on us. Education is something that we're going to have to do more with, prevention, rehabilitation. But we will have conferences on that as well.

But what we're hoping to get from you is how can we be more cooperative with you. And if we can't talk about dollars, if you did have them, where would they be used, where do you find that you need most of the help.

These are the types of questions we hope to get some answers to today. And I'd like to hope that you share with the police chief of New York the restoration of faith and confidence that you've been able to give to the people of the city of New York.

And we don't know, really, whether this means there will be less drugs available. But because of the changes in attitudes and strategies, we do know that we are seeing local smokeshops busted, we are seeing concentrated efforts where, as you've pointed out, traffickers have taken over our streets and you've restored the presence of police officers.

And I think what you've done is encouraged more and more people to attempt, once again to cooperate, share information with you, because we realized that your hands were so tied that the criminals really had the upper hand on the citizens.

So, we thank you. And if you can think of ways that we can give help and how it would be used, I have a bill in and Ben is cosponsoring it—for three-quarters of a billion dollars to be made available to share with local and State governments because I don't believe it's a local problem. I believe it's a national problem and that you are representatives in helping us to control this national disease that's causing so much of local crime.

Ben is with me, and I don't want him standing up here. I wish we could have had a better way, that we all could have participated without just standing. But—do you have any comment to make?

STATEMENT OF HON. BENJAMIN GILMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. GILMAN. I regret, Mr. Chairman, that I had to be in a meeting earlier when you opened up this session. I want to welcome our police officials, enforcement officials from State and local government to our conference. I think that this is our first conference of this nature that has ever been conducted in Washington.

We've had some regional conferences and found them to be quite successful, particularly the one in south Florida.

And I want to commend all of you who are out there on the battlefield for the good work that you're doing. It's a tough job for all of us, difficult at local level, difficult at State level, particularly difficult and complex when you get to national and international approaches to a problem that's serious, growing, and becoming pervasive throughout the world. Narcotics production and trafficking is a hundred billion dollar industry right here in our own country.

Now, this committee has worked long and hard to try to find better ways of addressing the problem to try to help evolve the national strategy and international strategy, and trying to provide the dollars that are needed, the personnel, and the equipment that's needed.

We're encouraged that the military is getting involved through the prodding of this committee. We're encouraged by some of the legislation that we've helped to bring about, especially the Rangel-Gilman-Hawkins measure to cut off economic and military assistance to those countries that don't cooperate.

Just this past week we were able to get the Drug Enforcement Coordination Act adopted and the House to create an Office of Drug Enforcement Coordination within the executive branch.

The Money-Laundering Penalties Act passed just this past week, strengthening the urgency and Foreign Transactions Reporting Act by increasing some civil and criminal penalties. And the Comprehensive Drug Penalty Act, increasing the maximum fine for convicted drug traffickers from $25,000 to $250 000 to try to put some teeth in existing laws.

The present administration has created some significant important initiatives to address the drug problem. And they include the national narcotics border interdiction system, the Organized Crime Enforcement Task Force and the South Florida Task Force, all sound initiatives.

But we recognize that this isn't enough and that there's so much more to be done. We have to fight the battle in many phases and on many battle fronts. Enforcement is important. Eradication is important. So are education and rehabilitation.

And we have to give all of these areas proper attention. But most important, what we need is a good exchange, between you out there on the battlefront and us here in Washington, trying to devise a better strategy, a better national strategy, better international strategies. So that I hope that at this meeting you'll be frank and will be willing to exchange thinking, and that includes criticism if that's on your mind, so that we can help to improve what we're trying to do. And that's what we all have as a common goal, to do battle with the drug traffickers, to try to find a way to stem the flow of narcotics to our shores and to try to reduce the amount of consumption here and around the world. And we appreciate your willingness to take the time to be with us today.

I look forward to hearing the testimony from our representatives who are here with us and meeting with you personally.

Thank you, Mr. Chairman.

Mr. RANGEL. Thank you.

We have been joined by Dan Akaka from Hawaii, who has been in Washington long enough to remember when pineapple used to be the major agricultural crop——

Mr. AKAKA. No longer.

Mr. RANGEL [continuing]. Of Hawaii.

STATEMENT OF HON. DANIEL AKAKA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF HAWAII

Mr. AKAKA. Thank you very much Mr. Chairman.

I thank you very much, and the staff, for putting together this conference.

Looking at the agenda, it tells me that we are finally trying to put things together.

I want to welcome all of you in the law enforcement agencies of Federal, State, and local governments and wish you well when you return home and hope that the conference will be of benefit to you.

I also want to tell you, Mr. Chairman, and those present here that following one of our hearings and learning of the kind of problems that our Federal, local, and State people were finally having on the streets, I was able, in the Appropriations Subcommittee on Treasury and Postal Services, to insert report language. And I should say I just had the report language put in for Hawaii, and that is for Hawaii to use the south Florida type of task force in Hawaii and also to compel the Postal Service to participate.

And I'm saying this because I think you know of that operation penalty that was held in Hawaii that we thought was successful, but we learned that the Postal Service was a little shy in participating in that effort. And so now it is in report language for the——

Mr. RANGEL. We're glad to hear that.

Mr. AKAKA [continuing]. Postal Service, too.

But this is something, I think, that we will need to do from locality to locality throughout our country.

But I want to, again, commend the chairman and all of you and hope that we, together, can hear, in your terms, your needs, and hopefully that we can respond from our side here in Congress.

Thank you.

Mr. RANGEL. Right.

Well, the ball has got to be thrown in your court. You're just going to have to assume that we'll be doing the best we can, with your support, as relates to interdiction and curtailing international growth in trafficking. But as relates to drug law enforcement, we're anxious to hear from you as to how your Federal Government can work more closely with you.

Do we have any takers?

Yes, sir.

We don't have a format. And certainly I guess the only reason we have the cameras here is because we didn't invoke not to have them; right?

VOICE. Right.

Mr. RANGEL. There won't be any scheduled press conferences here. It's not the goal of this committee, with this conference, to make any headlines. Reporters may be grabbing you individually, and you can handle it the best way that you can. But this committee will not be having a press conference on this.

Yes, sir.

Mr. WILSON. Mr. Chairman, my name is Mike Wilson. I am the narcotics and vice division commander from Oakland, CA.

Strange as it may seem, we have drug problems on the west coast, also.

I'd like to paint you a brief scenario of what our problem is in Oakland. We're a community of some 350,000 people. We have six major heroin organizations operating within our city. They're, quite frankly, beyond our control as a local law enforcement agency to deal with.

These organizations are paying children as much as $100 a day to act as lookouts for the police. Unfortunately, I can't share some of my colleagues' opinions as to Federal help. I couldn't tell you who the commander of DEA is in San Francisco. We get individual help from individual agents. Even our chief of police does not know the name of the DEA commander.

The FBI, although they are very new at this drug enforcement game, is doing the best they can.

As far as intelligence-sharing goes, it seems to be a one-way street. We give them intelligence; we never get any feedback. In fact, they have a tendency to steal our informants, because they can afford to pay them more money than we can.

Quite frankly, the drug problem in Oakland is out of control. We have a per capita homicide rate that is outrageous. A big percentage of these homicides are drug-related.

Just a couple of weeks ago, we had a 15-year-old woman, murdered on the street. She was pregnant—drug-related. And this is not uncommon at all.

I think I have to share my colleague's statement—from New York—that we need help in resources, automobiles, money.

Just recently, we got into a major cocaine organization. We had to buy up to a multiounce deal. We didn't have the resources to do it. It was one of those things we had to do almost immediately, within a few days.

We contacted the Bureau. Yes, they could give us the money, but it would take some time because they had to go to Washington for approval. So, we lost the deal.

These are some of the problems we face at a local level. I'd like to see some sort of a committee or forum whereby we could share information on a local level.

I know there's a task force in San Francisco, but I've never been contacted by them. I think it's imperative that these people come forward to the local people and say, "This is what we can offer."

We certainly have intelligence to share, because we work with the grassroots people, with the informants, with the junkies on the street. And we have plenty of information to give the task force if they would come forward and say, "What can we do for you?" But we have never had that happen.

Mr. **Rangel**. Do you feel the presence of Federal investigation during good times? When there was closer cooperation in the city of New York, the complaint was that they were working the same cases and that there were just too many people and just some known high violators.

Do you feel the FBI-DEA presence in Oakland, working these cases?

Mr. **Wilson**. We hear, from time to time, that they are working the same cases we are and that we would certainly welcome some sort of a task force where we could cooperate with them, because certainly we have as much to offer to them as they do to us.

Mr. **Rangel**. Well, listen, you can rest assured, Lieutenant Wilson, that before you leave today that staff will be talking with you and we will be setting up the meeting, to make certain that the Federal presence there is tied in to your efforts.

Have you been able to identify where the heroin or cocaine—is it coming in by ship, plane, or——

Mr. **Wilson**. A big percentage of our heroin is coming out of Mexico. We have a lot of cocaine that's coming, we understand, through Hawaii—and sometimes on board Colombian freighters.

I might mention that we've trebled our arrests. We're over 7,000 arrests for our small unit for 1983. We have inundated the court system with arrests. Our labs can't keep up with our arrests.

The district attorney just recently announced a very get-tough policy. And if he fulfills his promise, the rest of the judicial system will not be able to keep up, simply because there's not enough judges to deal with it.

So, we're talking about bringing in three new judges, but the county board of supervisors are saying, "No, that's too expensive."

I read your bill that you're proposing money to fund more judges. I think that's highly significant.

Mr. **Rangel**. Well, thank you, Lieutenant. And we will be meeting with you to see whether or not we can—or any others—because this is not that formal.

Ben.

Mr. **Gilman**. Lieutenant Wilson, before you leave, you say you haven't been contacted by any Federal agency. Have you reached out to them for help at all? Have you made inquiry or requests?

Mr. **Wilson**. Yes, we have.

Mr. **Gilman**. And to whom did you make that request?

Mr. **Wilson**. With the Bureau.

Mr. **Gilman**. Federal Bureau of——

Mr. **Wilson**. Yes.

Mr. **Gilman**. And what was——

Mr. **Wilson**. I have to add, however, that when we have asked DEA for funds, they've been very good about giving it to us.

Mr. **Gilman**. Have you asked——

Mr. **Wilson**. The Bureau seems to have too many strings attached to the money.

Mr. **Gilman**. The Federal Bureau of Investigation?

Mr. **Wilson**. Yes, sir.

Mr. GILMAN. Have you asked to meet with them on any strategy level or policy level or planning level?

Mr. WILSON. I have to admit I have not.

Mr. GILMAN. But you haven't been contacted.

Mr. WILSON. But we have not been contacted.

Mr. GILMAN. Has there been any State conference at all of planning and policy on narcotics that you've taken part in?

Mr. WILSON. No, sir.

Mr. GILMAN. In other words, there's been no State initiative in trying to bring you all together either?

Mr. WILSON. Not to my knowledge.

Mr. GILMAN. And no Federal initiative?

Mr. WILSON. No, sir.

Mr. GILMAN. Have you passed on any constructive suggestions to either the State or Federal people about what they ought to be doing?

Mr. WILSON. Yes. I contacted the assistant in charge of the Oakland office of the FBI, and we did have some intelligence meetings, and then that fell by the wayside.

But I think there is some work that needs to be done in that area.

Mr. GILMAN. You said you're getting some cocaine in from Hawaii. Has that been increasing in amount?

Mr. WILSON. It doesn't appear to be increasing. We get this from informant sources, that it has come from the Peru and Bolivia areas, by ship, to Hawaii.

And then couriers—at least in several instances—have brought it by airplane. Sometimes stewardesses or flight crew members are bringing it in by aircraft.

Mr. GILMAN. And you talked about heroin from Mexico. Has that been in increasing abundance from Mexico, or decreasing, or is——

Mr. WILSON. No. It seems to be fairly static. However, the qualitative analysis of the heroin seems to be increasing; where we were running 2 to 3 percent, it's approaching 30 percent now, and we're beginning to see some heroin-overdose deaths, where we haven't had any recently.

So, the quality is better. The amount seems to be fairly static.

Mr. GILMAN. Have you been able to trace back any Asian heroin coming into your area?

Mr. WILSON. Yes.

Mr. GILMAN. And where is that coming from?

Mr. WILSON. That's coming from the golden triangle, the Thai area.

Mr. GILMAN. No further questions.

Thank you, Mr. Chairman.

Mr. RANGEL. Tell me, Frank Monastero, we have not orchestrated how we're going to respond to some of these suggestions. But DEA is here. Would you put up your hand, Frank.

[Show of hand.]

Mr. RANGEL. Would the best way—I don't want to be putting you on the spot, but would the best way for us to handle it—is to take down this type of information, and you could join me in assuring them that collectively there will be a response. Whether it's the response that you would want to hear, we don't know, but certainly that collectively we will be responding to these types of things. That way you don't have to respond to each and every query.

Right?

Great.

And Frank, of course, is the Assistant Administrator for Operations for the Drug Enforcement Administration.

Could we hear from some other of the participants?

Just walk right up, identify yourself, and we'll see whether we can get something out of this.

Mr. **Huchabee.** My name is Roger Huchabee. I'm with the Austin Police Department in Austin, TX.

For a number of years, we were able to, I guess, sit back and enjoy the good life while everybody on the east and the west coast put up with all the narcotics problems.

Mr. **Rangel.** Can you hear in the back of the room?

Voices. No.

Mr. **Rangel.** No?

Can you hear in the back?

Mr. **Huchabee.** Is that any better?

Mr. **Rangel.** If you pull up the mike, I think it will be—that's Texas. [Laughter.]

Mr. **Huchabee.** OK. [Laughter.]

Thank you.

Due to you—all's collective efforts through the States on the east and west coast, we have seen a tremendous increase in our drug problem. We have several major distributors of cocaine in the Austin area. As a result we have a large influx of money coming into our area which is being diverted and laundered into legitimate channels, which has allowed the person to invest this money from an illegal gain into a legal channel.

We have had a tremendous increase in our heroin problem in recent months. As the gentleman before me stated, a year ago our street heroin was running 1 to 3 percent; today our street heroin is running 4 to 8 percent. We have seized heroin as pure as 56 percent. This is our Mexican brown heroin, which appears to be on the increase.

In addition to this, within the last 6 months, we have seen an increase in our Asian heroin that is coming into Austin. Some of this heroin has been as high as in the high 90's—percentage.

We feel like, from our intelligence information that we've been able to gather, that most of this is coming through a major organization on the west coast. We would like to see what could be done in way of assistance to our agency in order to stop this before it becomes a major problem, as it has in other cities.

I would like to add that we enjoy an excellent relationship with the Drug Enforcement Administration in Austin, TX, with AT&F. Our relationships with the other Federal agencies are not near as good.

We have enjoyed their cooperation, their input, their assistance; both financial and manpower has been on an excellent level.

What we would like to see, from a Federal angle on it, would be assistance to our department in the way of money, in which we could have adequate personnel, adequate vehicles, and adequate money for the purchase of drugs in order to make the arrest on the people at the higher level, the dealer-drug industry level.

We feel like if we can eliminate the mid-level to the high-level dealer we will eliminate our street problem as well.

Mr. **Rangel**. Now, you do meet with the Federal law enforcement officers on a regular basis to coordinate your activities?

Mr. **Huchabee**. Yes, sir. We work with them very closely.

Mr. **Rangel**. How often do you meet to evaluate what cases you're working on, what——

Mr. **Huchabee**. We recently finished a joint effort with the DEA, the State DPS, Narcotics, the district attorney's office, in which we made 53 street-level heroin cases. It was a joint effort by all the agencies, in which we were working with them on a daily basis.

Our relationship with the DEA goes back 10, 12 years, in which we've enjoyed a good relationship with them.

I would say that on the whole either someone from their office is in our office or vice versa at least two to three times a week.

We have been able to obtain intelligence information from them quite easily, manpower assistance when we need it, financial assistance when we need it.

And by the same token, we have, in turn, provided them with assistance when they have requested it.

Mr. **Rangel**. What percentage, roughly, of your police department is committed totally to narcotics law enforcement. And what percentage of the crimes or the arrests made are related to drug abuse?

Mr. **Huchabee**. Well, we have 14 officers assigned to narcotics within the Austin Police Department. In addition, there are five other officers assigned to an organized crime unit which deals not only with narcotics but in other areas of organized crime.

Mr. **Rangel**. How many members do you have on the force?

Mr. **Huchabee**. 540?

Voice. 640,——

Mr. **Huchabee** [continuing]. 640—so, they got another 100.

Six hundred and forty officers, commissioned officers, within the department.

Mr. **Rangel**. Roughly 14 to 20 assigned to narcotics law enforcement?

Mr. **Huchabee**. Yes, sir, we have 14 on a full-time basis that are assigned to organized crime, which can work narcotics as well as other type violations.

Mr. **Rangel**. Ben?

Mr. **Gilman**. You mentioned the need for funds. Are you getting increased funds from your State agencies?

Mr. **Huchabee**. To my knowledge, we don't get any funding from the State agency. Our funding comes from the city itself.

Mr. **Gilman**. You don't get any help at all from the State of Texas?

Mr. **Huchabee**. I'm not familiar with any budget—or any funding we get from the State; no, sir.

Mr. **Gilman**. Are you able to use any of the property that you seized or any of the funds that you've seized for narcotics enforcement?

Mr. **Huchabee**. Yes, sir; we, approximately 2 years ago, started a concentrated effort on seizing assets from criminals or people that had been arrested. We have had particularly fairly good success on seizing money and filing through State courts for forfeiture and seizure.

Through this procedure, I think we have around $125,000 pending in seizure. And last year I think we received about $80,000 to $90,000 as a result of forfeitures that had been obtained.

Mr. **Gilman**. And is your State law fairly good, in that you can go through a forfeiture procedure quite readily?

Mr. **Huchabee**. No, sir, it's time consuming.

We have one forfeiture that's been pending for nearly 2 years now that we would like to resolve. But the court system is just—is not with it.

Most of the time when we are able to resolve our money forfeitures they are done through an agreement with the defendant's attorney and through our district attorney's office.

Mr. **Gilman**. What about vehicles or boats or airplanes? Are you able to seize those——

Mr. **Huchabee**. Yes, sir, we have a State law that allows us to seize, and we have done so—and primarily our undercover vehicles are utilized from that.

I would like to make a comment on a statement that was made earlier. It's my understanding, through what has been explained to us from the U.S. attorney here in San Antonio that the DEA has a capacity to seize vehicles and to give them to the local agencies for use.

Unless we were misinformed on that, it's my understanding that the capacity is there for that if it will be done.

Mr. **Rangel**. Well, we have DEA here.

Could you answer that, Frank? Can DEA seize vehicles and turn them over to local State——

Mr. **Monastero**. Local——

Mr. **Rangel**. No; I'll repeat it for you

Mr. **Monastero**. It does have to go through GSA.

Mr. **Rangel**. It goes through GSA.

But it can happen?

Mr. **Monastero**. Yes.

Mr. **Rangel**. Is it a long, drawn out procedure?

Mr. **Monastero**. Well——

Mr. **Rangel**. I mean, has it been very successful?

Mr. **Monastero**. Yes; it's been successful.

Mr. **Rangel**. OK.

Well, listen, for those of you that have a similar type of problems write them and send us a copy of it, and that would cause your Congress to focus in not on just local problems that one community may be having, but something that all of you may be feeling.

So, I want to thank you, sergeant, for bringing that to—tell me, with the arrests that are made, what percentage would be related to drugs?

Mr. **Huchabee**. I'd have to look at our statistical background to look it up.

Mr. **Rangel**. No; I don't mean anything specific.

This is—we're not holding you to it. But we're trying to find out whether or not there's been a particular strain on your law enforcement responsibilities because of the number of addicts that——

Mr. HUCHABEE. There's a direct correlation between our heroin addicts and our burglaries right within our city. We have seen, through our past efforts, when we were able to make a crackdown and arrest a lot of our heroin addicts, that the percentage of burglaries within our town dropped drastically during that time period.

Mr. RANGEL. Thank you.

Tell me, for those that are out there and made this trip, do you think this, the way we are going about this, is the right way, just asking for volunteers? Because most of you have had more experiences in conferences than we have, and we certainly want to make certain that we use a format that you receive the maximum benefit from.

And it could very well be, Frank, that you could sit up with us up here, not to be in the hot seat but so that you could have the mike and our recorder could hear from you.

What——

Or sit with the White House—and——

Mr. GILMAN. Mr. Chairman, could I suggest since we have a couple of the agency representatives here why don't they come forward and sit up here and face the audience so they can respond to some of this, and we'll make it a two-way communication, if that's agreeable, Mr. Chairman.

Mr. RANGEL. Sure.

Mr. GILMAN. Frank, why don't you pull some chairs around over here—and Dan and the Customs folks—come on up here so that they get to know who the ball players are in this thing.

Mr. RANGEL. And I would want the White House to know they can accept me as their counsel for purposes of this discussion. [Laughter.]

VOICE. Dan is taking the Fifth. [Laughter.]

Mr. RANGEL. OK. Could we hear from some of the others?

[Pause.]

Just walk right up and announce who you are, and we'll keep it moving.

Thanks a million.

Mr. ROBINSON. Yes, Mr. Chairman, my name is Mike Robinson, and I'm the commander of the Michigan State Police Narcotics Section. And I'm also the vice president of National Alliance of State Drug Enforcement Agencies.

While I'd like to address some of the concerns that we have in Michigan, I'd like to talk about the alliance a little bit and, at the same time, invite you and representatives of the committee to join us at our next meeting in Salt Lake City, which is later on in October, and—or they may have already talked to Jack about that.

The alliance is made up of State-level narcotics enforcement agencies throughout the country. So, we have broad section of the country that we represent.

At our meeting—at our last meeting in May, we set goals and objectives for 1984 and 1985 that I'd like to touch on a little bit.

Mr. RANGEL. Terrific.

Mr. ROBINSON. No. 1, we believe that it is necessary to promote law enforcement involvement in drug education and prevention programs.

If what you've said is true, if the drug problem and the amount of drugs that are being produced in the world are at the point that they are and we cannot stem that tide, there's only one way that we can ever hope to reduce the amount of drug abuse that goes on in the country, and that's through the education of our young people. And we do strongly support those types of programs.

And in conjunction with DEA, we feel that it is necessary to develop a comprehensive plan to standardize the drug confiscation reporting and a system of uniform nationwide reporting.

The problem that we honestly face with the whole drug problem is that none of us, no matter what level of government that we're in, have a real handle on exactly how big the problem is.

The fact of the matter is that all agencies report oftentimes the same arrest statistics, the same seizure statistics, and therefore we have no real picture of the program.

We are working with DEA, and they are cooperating in that effort. It's a mammoth task.

We also feel that it is important to develop an increased awareness in all levels of law enforcement not exclusively assigned to narcotics enforcement in order to achieve a more effective drug enforcement.

We all believe—and we've all said it—that narcotics is the No. 1 crime problem in the country facing the Nation today. The President has said it, you've said it, I've said it, parents and teachers have said it.

But what are we really doing about it? How much of our resources are we really willing to commit to the narcotics problem?

I not only ask that to the committee on the Federal level, but those of us in the audience from State and local levels: How much of our resources are we really willing to commit to the problem?

We can come to conferences like this and talk about how difficult the problem is and how big the problem is. But are we really willing to put our money and our resources where our mouth is and do something about it?

And we do support your bill and your efforts to provide more money to State and locals and to the Federal Government for enhancing the narcotics enforcement effort.

Fourth, in conjunction with DEA, we feel that it is important to research and develop recommendations to member States, reference legislation and implementation of programs to address the unlawful diversion of legitimate drugs.

While heroin and cocaine have flooded to places like New York and in through Florida and into the country, a problem that we face in the Nation is the legitimate drugs that are produced, manufactured, and controlled from the manufacturer through distribution to the consumer.

Michigan, for instance, has 4 percent of the Nation's population and receives 14 percent of all the Dilaudid that's manufactured. Dilaudid, you may be aware, is a synthetic drug and is used by addicts as a substitute for heroin. It's called legal heroin.

A single-formula gram tablet of Dilaudid sells on the streets of Detroit for anywhere from $30 to $40.

We do think that—we do believe that it is the responsibility of all levels of government to impact narcotics as close to the source as humanly possible. We feel that it is the responsibility of the Federal Government to be involved in interdiction programs and in those countries that are producers of drugs. And we also believe that it is the responsibility of State-level and Federal Government within the borders of our individual States to impact those substances where we are the source. Where marijuana is the source to our consumers, the Federal Government has spent money in eradication of that, of the marijuana plant. We feel that it's just as important that we attack the use and distribution and production of legal drugs.

Those are some of the things which we, as the alliance, feel that it is important that the Federal Government get involved with.

As I said, if we really think that narcotics is the problem—and it is the major kind of problem—then we all need to put our resources behind it and as close to the source as humanly possible.

We met—a group from the alliance met with Mr. Mullen and Mr. Monastero in March to discuss the roles of State, local, and Federal Government.

And what I have said I think echoes the sentiments of the alliance. There are several alliance members here that will speak, I would expect, specifically to problems within their States.

We do agree that the Federal Government, when it crosses State borders and it involves out-of-the-country activities, that it is definitely a Federal role.

If it is an in-State organization that does not cross those borders, we feel that it is a State and local responsibility, and we honestly do need the support of the Federal Government for funding for those types of operations.

In Michigan, we support cooperative narcotics task forces through the majority of the State that are made up by State and local law enforcement personnel. We do sorely need funding for that.

As far as forfeiture goes, Michigan has a State Forfeiture Act which we passed, which was patterned after the Federal. But what it does do in Michigan is that right now the proceeds from the sale of forfeited goods, 25 percent goes to State substance abuse services, and the remaining 75 percent goes to the seizing agency to be used only to enhance narcotics enforcement.

So, that is a source of funding that we've opened up.

Mr. RANGEL. That's great, lieutenant.

Tell me, how many States are involved with the alliance—roughly?

Mr. ROBINSON, I'm getting some echoes in my ear. 43, 46.

Mr. RANGEL. That's great. That's great.

And you can rest assured that we will have staff there to serve as a vehicle for you to communicate to your Congress through them so that they don't interfere with your normal format.

And if invited, I'm certain that members of the select committee would like to be there merely as an informational source or to assist you in answering questions as to how you can be more effective.

And I don't know whether I announced it, but we have 42 State representatives and 14 city representatives here with 6 Federal agencies, and we just can't have enough of this type of cooperation, because we're all in the business of being public servants, we're all doing the best we can. And the question is whether or not we can come up with the best ideas and utilize our resources in the best possible way.

Let me ask you a question, Lieutenant. This Congress, like any other, we respond to pressures that we get from our various constituency groups. So, you know that we're here from agriculture, textiles, the automobile industry, labor, steel, and of course, when we have a budget, we try to respond in the best way to service the people that we represent.

Now, we've heard the statements of law enforcement. And my understanding is that you would want the best possible cooperation with your Federal Government, but you do believe that crimes committed within your jurisdiction, that you should have the resources to be able to control that, as you've taken an oath to do, but that you do need some type of assistance to either expand the manpower or to develop more scientific techniques in combating that.

Now, our problem is that traditionally law enforcement has stayed out of the politics. And we think that's good and healthy, and it has worked. And if it ain't broke, we don't want to fix it.

But how do you share your view? How would members know that they have to make a special effort to get these funds to our local law enforcement officials? How do you communicate it?

I mean, you meet with representatives of the Federal Government. Well, they're appointed, too. They're restricted as to what they can do. They probably agree with you, and they will then convey to other people that we ought to be able to give these fellows a little more assistance because they're doing a great job in a rough situation.

But they run across the Office of Management and Budget. They run across the budgetary process for their own offices.

And the only way that we could possibly overcome this is when we have the majority in the House and the majority of the Senate saying, listen, this is important, this involves national security, and this is what we're getting out there.

Now, obviously you're on the front line. How do you communicate to your members how important you think it is to receive more Federal help?

Mr. **Robinson**. Well, in Michigan, for instance, we have a pretty comprehensive program, educational program, that we utilize at the State level to inform the public of our needs and inform them—that's, for instance, how we managed to pass this forfeiture act, was by targeting specific service groups that were interested in doing something for law enforcement who, in turn, contacted their State legislators to support the passage of those types of things.

We also do that where Federal legislation is concerned, and I personally have met with several representatives from the State, with Senator Levin, and expressed our opinion where that's concerned.

Mr. RANGEL. So, as far as Michigan is concerned, you don't have any problem in having direct communication with your local, your State, and your people in Congress as it relates to your needs?

Mr. ROBINSON. That attitude has changed within the last 2 years that has allowed us to do that; that's correct.

Mr. RANGEL. I'm glad to hear that, because one of our major problems has been the self-imposed restrictions that we have felt that law enforcement places on itself. And we certainly don't want to change the style in which you do business, but it's difficult to get the money unless there's a constituent group.

And a lot of us would feel a lot—of course, unfortunately I don't have that problem in New York, because they know how to reach us too easily.

But for other members, it would be very helpful if there was some method of communicating. I'm not suggesting lobbying or sending someone to Washington, but some way of knowing that there is a concern about the Federal participation.

And to that extent, we would like to share with you some ideas—with you and the alliance. And we look forward to working with you.

Do you have any better information? When it is and where it is?

Mr. ROBINSON. It's in Salt Lake City the week of the—21st.

Mr. RANGEL. Well, try to define or restrict the role you want us to play, and we hope we can use that to better the communication and not substitute what you're doing.

Mr. ROBINSON. Thank you.

Mr. RANGEL. Thanks for the contribution you're making.

Any members have any——

Mr. GILMAN. Yes.

Mr. RANGEL. Ben.

Mr. GILMAN. Have you requested any of the Federal officials to sit with your liaison people, your alliance people, to work on strategy and to talk about planning and where we're going, where we've been?

Mr. ROBINSON. We've met with Mr. Leonard. We've met with Mr. Monastero and with Mr. Mullen in March. They were at our spring conference that we had in Portland, ME, in May, also.

So, we are communicating and find the administration of DEA very receptive to that.

Mr. GILMAN. This was at your initiative and your request, to meet with them?

Mr. ROBINSON. Yes.

Mr. GILMAN. Have there been any other meetings besides your alliance meeting at that session?

Mr. ROBINSON. Not—I can't speak totally for other members of the alliance, but those are the most recent initiatives that we've taken with DEA specifically.

Mr. GILMAN. Are you the head of the alliance?

Mr. ROBINSON. I'm the vice president.

Mr. GILMAN. You talked about the Dilaudid problem in your own area. Is that as a result of illegal prescriptions? Where is it coming from?

Mr. **Robinson**. Mostly it is from illegal prescriptions in a system that we call script mills, where doctors are in there solely for the purpose of writing prescriptions. And they'll have someone on the outside, the outside of the clinic, the same way that you'll have a lookout on the outside of a dope den, looking over the clientele and deciding who goes in and who doesn't and who sees the doctor.

Mr. **Gilman**. So, it's coming, then, out of the illegal trade and because of illicit prescription primarily; is that right?

Mr. **Robinson**. Primarily, yes. It's not theft or the other problem. A problem that we face where doctors and professionals are concerned is the court system is not as likely to sentence a doctor, unfortunately, as they would someone who sticks up a gas station or who is selling heroin.

Mr. **Gilman**. Because of your proximity or position along the border, do you find any problem with the Canadian authorities or the Canadian trafficking coming across the border?

Mr. **Robinson**. Specifically with the borders of Michigan and Canada, we have absolutely no problems with the RCMP or the Ontario Prevention Police. We work many joint investigations.

Mr. **Gilman**. Good cooperation?

Mr. **Robinson**. Yes.

Mr. **Gilman**. Is there much trafficking that comes across the border in the Michigan area?

Mr. **Robinson**. What we find—and the reason that it takes the cooperation—is a lot of Canadian dealers who live in the Windsor-Toronto area will conduct their transaction and their business meetings on the Canada side and will make delivery on the Michigan side. This is to thwart law enforcement because of the—trying to thwart law enforcement, hoping that if it's U.S. authorities, they will have difficulty traveling back and forth to Canada to set up and vice versa.

We don't have that problem.

Mr. **Gilman**. What kind of narcotics are involved in the Canadian trafficking?

Mr. **Robinson**. Cocaine and legal drugs. We have legal drugs that move that way and cocaine traffickers who have connections in Florida who would make arrangements to make the delivery in Michigan.

Mr. **Gilman**. Do you have any estimate of the dollar amount coming across the border?

Mr. **Robinson**. No; I can't give you that.

Mr. **Gilman**. Do you have any estimate of the amount of Dilaudid that's being trafficked in Michigan?

Mr. **Robinson**. I don't have those figures in front of me right now, just that we do receive 14 percent of all the Dilaudid that is manufactured. That is a drug, and prescription drugs are drugs that we can control because we control those for manufacture. DEA knows who produces them and how much they produce.

The drug's intent is primarily—it is primarily used for terminally ill cancer patients. You would think that in some other States, in some States where the population is more elderly, that that type of drug might be used more than it is in Michigan, but——

Mr. **Gilman**. That drug incidentally will be the subject of some debate on the floor today as we look at the Compassionate Pain

Relief Act that's been proposed. And Dilaudid has been suggested as a possible substitute for heroin in compassionate pain relief.

Mr. RANGEL. May I get a quick view, because I will be leaving to oppose that bill on the floor because, one, the AMA doesn't believe there's any need for it. Certainly, the administration opposes it, and we think if we opened up the door to have heroin in the hospitals, and our drug stores—that is a Pandora's box.

And so if I leave, it will only be to take the floor to oppose it.

Is there anyone that would disagree, that we don't need heroin to be available for terminally ill patients?

Anyone that disagrees?

Are you familiar with the bill? Would you—those that oppose it, could you throw up your hands?

VOICE. Oppose the bill?

Mr. RANGEL. Oppose—opposed to the bill in loosening.

[A show of hands.]

Mr. RANGEL. OK. I just wanted to get a consensus from law enforcement, because most all of our committee members are opposed to it.

I'm sorry, Ben, but you've raised that.

Mr. GILMAN. Yes; I think that's about the extent of my questions.

I hope that you'll continue the work of your alliance, and I think these regional organizations and a cooperative effort are certainly of assistance to all of us in what we're trying to do. We will have a better exchange of information between people who are out on the front lines in our own Federal bureaus. And I hope you won't hesitate today to let some of your thoughts be known to our Federal people who are here.

Thank you.

Mr. RANGEL. Tell me, before you leave, Lieutenant, so you collect information from your membership States to kind of get a handle on what you're up against nationally as to the amount, the type of drugs, the amount you think is coming in, the number of arrests and convictions you're having—you know, so that we could come to you and get a broad general national perspective?

Mr. ROBINSON. We do discuss that at our conferences; that's correct.

Mr. RANGEL. Well, I know you discuss it, but it would be helpful if you could work out some type of a questionnaire that you collectively could present to the Congress, because, you know, we're dealing with the Federal presence, but you fellows are right out there on the front line.

Mr. ROBINSON. That is exactly one of the problems we face with the lack of standardization for drug reporting. While we could report to you the amount of arrests and seizures that we make for our specific agencies, the difficulty comes in the statistics that are gathered by other agencies or a combination of agencies that report a duplication of those arrests or figures.

Mr. RANGEL. Well, you're working now with the Federal agencies to develop a technique where this information collection will be easier to do; right?

Mr. ROBINSON. Right. We hope so.

Mr. RANGEL. Well, listen, share with us the information so that we can work with them, because, you know, they're independent agencies, but they still have to deal with restrictions that are placed on them.

And so one of the things we want you to know is that you should feel free, in working with all parts of your Government—you have direct access to the White House, DEA, FBI, limited access to State, as we all do, but this is your Congress. And so you should be using it.

Thank you very much, Lieutenant.

Mr. ROBINSON. Thank you.

Mr. RANGEL. You've been very, very helpful.

Mr. CARSON. Mr. Chairman, my name is Arzo Carson. I'm the director of the Tennessee Bureau of Investigation.

My background may be just a little different than strictly police. I guess I represented a few people in the early 1950's when I practiced law when this problem was not a problem. Then, for 21 years, I served as a district attorney and have seen this problem grow and reach proportions that are beyond control actually.

For the last 5 years, I have been director of the Tennessee Bureau of Investigation. One of our responsibilities is to formulate policies and engage in cooperative efforts with the Federal and local people for drug enforcement.

Now, this bureau that I head, in my judgment, has reached the very height of cooperation through your task force, your committees, and so forth.

As a matter of fact, our agents now are somewhat routinely commissioned or deputized as Federal officers. And I believe that our performance, with the few people we have—we have had 12, now that's been doubled this year, to 24—has been at a level that we could not hope to go beyond, both in interdiction, the type of cases we've made, and our record of convictions. Our convictions probably are around 98 to 99 percent.

We believe—or I believe, after looking at this—and I've attended many meetings here. It seems like my fellow man, Bob Dempsey, and I are showing up at all these and we're singing about the same song.

Cooperation—we have it in the Bureau, but it is totally inadequate. Now, that may seem like a contradiction, but I think you may, if you've been listening to the people here—almost have reached that same conclusion, that there's something missing.

We all want to cooperate. We do everything we can to cooperate. But somehow we haven't really cooperated. Or at least if we have, it has just been on the surface—or I don't mean that, really, it has been deep, but it hasn't penetrated the enemy is what I'm really saying.

Now, I see two things that hinder cooperation, and we've talked about them both here this morning, but not in the light or theme of how they impact on our failure to cooperate.

I think it's important that we identify the sources that prevent us—or the reasons that prevent us from cooperating, because without total cooperation of the Federal, State, and the State locals, we'll never address this problem.

Now, I see two things—and they've both been discussed here. One of them is almost a—well, I won't say total, but a very substantial lack of intelligence.

For instance, I don't really know what the tentacles are, the system of distribution of who, how, where, what kind of drugs and so forth there is in the State of Tennessee at this particular point in time. And I know that the Federal doesn't know, because we discuss these things at the task force level, law enforcement coordinating committee levels, and we really go after it, but we still don't really have the knowledge of what's going on out here in this country.

Now, the gentleman from Michigan touched on this. If you're going to address any problem, you've got to know, in law enforcement, who the enemy is, where he's located, and by what is his modus operandi. Now, we don't know that.

We know that it has tentacles throughout every community in this country, and we know that whether it's planned that way or not it has nevertheless fallen into certain channels and certain ways of doing business in the drug business.

Now, until we identify that and can target those things at the State level and target them in the interstate level with DEA and the FBI—until we can really do that and feel like we know what's out there and then target it for destruction, we will never address this problem.

Now, as the gentleman from Michigan said, what we have got to have—and I really would urge you and the other members of this congressional committee to deeply consider the necessity for funding at one agency State level the computerization or the equipment necessary to permit us in law enforcement to establish uniform formats for drug intelligence so that every case that's made on every defendant throughout the courthouses in this land will enter into that computer system in a format.

Now, with that type of thinking, each State sending it on to some Federal agency—now, I can drop it off and analyze it at my State level and try to find out what's going on, but I have things, as Bob Dempsey tells me and Georgia and others, that's coming into Tennessee, I don't know about that. They have their own problems, and they can't take the time to speculate this maybe needs your attention or not.

What we need is the uniform collection, from the lowest level to the highest, of what we all agree upon is the necessary intelligence, with proper and total analyzation of that at the Federal level.

Mr. GILMAN. Mr. Chairman, if I could interrupt the speaker a moment—and with your indulgence—Mr. Monastero, don't we have that capability now with our national intelligence network to provide the kind of information that our gentleman from Tennessee is suggesting?

Mr. MONASTERO. I would have to say we do not, Congressman. I think I would have to say that we do not have that capability, at least not as the gentleman describes it. We do have the National Intelligence Center, but the capabilities of that Center are more limited and the process through which each local level and each State level would report is not—the mechanism is not there at this time to collect the intelligence the way you've described it.

Mr. GILMAN. Are we considering the possibility of expanding that?

Mr. **Rangel**. Or to put it another way, does it make any sense, from a DEA perspective, to lock into a system that's been recommended?

Mr. **Monastero**. Well, I think it would have to be flushed out to a great degree, but it certainly makes sense to—for the concept itself, it certainly makes sense. We do not have the resources at the El Paso Intelligence Center to do what I believe you've described here.

Mr. **Rangel**. What I'm trying to say, Frank, is that it's easy for us to be convinced because we're not out there. We asked these people to come so that we could help them to do the job that they want to do, if we supported this type of recommendation and went to our colleagues, what type of response should we expect from DEA?

And I'm not asking you to lock yourself into it now. I'm just saying the professionals are at the other side of this table. All of you are in law enforcement. And when he speaks for Tennessee, he's saying that he believes a network should be established so that all of his colleagues, no matter what State, would have the best information possible: Is it too expensive? Is it too complicated? Is it on the drawing board? Has it been tried before?

What's the top-of-your-head type of thinking about it?

Mr. **Monastero**. Well, this is strictly off-the-top-of-my-head type of thinking, but I think an automated system, such as I conjure up when the gentleman is speaking, would add substantially to our intelligence collection capability.

Mr. **Rangel**. Well, then, maybe what I could ask the alliance to do—lieutenants here from the alliance—is to put this on your agenda and see whether he can get support from a broader group, and we'll see what we can do.

I'm sorry. Go ahead.

Mr. **Carson**. All right. The point that I desire to make here in regard to that is that DEA can never really get the intelligence it needs until it receives it in the field out here. And what I'm saying is we've got to have an automated way of doing it. If every agency in the United States sent him all of the data that we could in a manual posture today, he could do nothing with it, in my judgment, except sort of thumb through it and pick out the best and so forth.

Now, I don't mean that Tennessee should be receiving the data concerning Georgia—I don't mean that at all. What I'm saying is, from the umbrella approach, DEA should be able, sending back through its chief law enforcement agency in the area in the State and identify the threads that run into Tennessee and say to us, "Let's get together now and work on these."

As Bob Dempsey has suggested, from Florida, make it proactive. If we don't get it squared away, we identify the problem, and then we send it out here to where we can really cooperate.

Now, the second point—I don't want to dwell on that one—the second point of our inability to cooperate, but less important but nevertheless real, relates to the proper equipment that we have available.

If we all—a very poor example, but if we all decided here today that we had to go to Austin, TX, to do something and we didn't ask a single question of whether or not we had plane fare or how we were going and so forth, we'd end up with about 10 of us down in Austin, TX, and the rest out somewhere else.

So, the type of equipment that's available—first of all, identify what you're talking about.

Now, I'm not one of these people that thinks you ought to give us a lot of firearms and you ought to go into that. I think that's a total misconception of the enemy. I think you've got to identify what kind of equipment can you meaningfully use. And then somebody, at the DEA level or somewhere, ought to catalog or make an inventory of this and not just hold it up there but be active in finding the States where it's needed and putting it out there for us to use and be able to use when they come back and say this area needs to be penetrated in law enforcement.

Now, we run into that in a critical area in the marijuana eradication program, which we have probably about the fourth from the top down in effectiveness in Tennessee—I believe last year 475,000 plants eradicated. And we're trying to address that with three helicopters owned by the Department of Safety.

This year they are down about one-half the time. If we had two slow-flying planes—we have the spotters, pilots—we could probably search that entire State and maybe reach 75 percent eradication in a year.

Well, that's real to us. It's not much, but look what we can do with it.

Automobiles—we seize enough of those ourselves. Other sophisticated equipment—we buy it ourself, as we should. We don't need the Feds buying sophisticated equipment.

But in the computerization of it, I think we do, because that thread runs too common throughout all of the States in this Union. And I think the equipment does.

I hope that puts equipment and intelligence in the proper perspective, as having a value associated with a lack of cooperation that I haven't seen before.

Now, there's one other thing I want to address that is not on the agenda that's been talked about. From a legislative standpoint, which is what your committee is dealing with, rather than a day-to-day responding to a hole in the dike, like we do, I think you have to forget—I think you cannot ignore a major premise that is being probably ignored.

I agree with you that in the next 2 years you're not going to reduce the inflow of drugs from outside the United States probably; I agree with that. But I do not agree with the implied premise that you can't do anything about it.

There are two areas relating to a major premise that we're overlooking, and that major premise—impact one is some kind of an assumption that there will always be the drugs coming in and therefore the major effort is just to attack it. And that impacts tragically in an area that has not been discussed much here this morning.

Drugs, for the most part—and I believe the gentleman that's been out here on the street will agree with me on this—that largely—or a great major portion of the people who use drugs became addicted when they were in their teens and lower. It's a unique thing. You just don't take a middle-aged person and get him involved in drugs, unless he has some kind of a personal problem. It impacts now, I think, at somewhere between the fourth and eighth grade—that's my own feeling about it. So, you first get the nibble where you first get involved. Probably marijuana is the thing. That's why I think it's so important to eradicate it and get rid of it.

Now, unless you—if you're willing to assume the premise that these children will, forever and always, become addicted at that level, just enter into it, this is the flow, and then we try to fight it, I think it's a losing battle over a long range.

I think there needs to be a uniformly developed education program in this country, put on tape, because most every school now has a little TV monitor that you play these tapes back through, that is well structured, with one goal in mind—not just a policeman up there badmouthing it, we do that all the time—but structured by the most skilled people for two goals in mind:

No. 1 is at the end of maybe seeing two 15-minute segments of this a week—at the end of that school year, you will have created a negative attitude in that child concerning drugs. You will turn him off.

Now, if we can teach children grammar, mathematics, and that sort of thing, surely we can teach them a negative aspect about something that's going to harm their lives so terribly much and which they can see, day to day, in their little ones and see the tragedies of ones—they all know about who is handling drugs in the community, they see these, they talk it—to give them a negative attitude in regard to that totally.

Now, if you attack the major premise of the Federal Government attacking the source of coming into this country—and I believe you can finally get some kind of a handle on it if you commit yourself to it strongly enough.

No. 2, the turning off of a demand at this children's level, plus the intelligence of attacking the distribution system, I think you can make headway in this.

Now, I know sometimes you need more prosecutors and all of this, but I don't believe that the backlog of prosecution, except in a few States, is really the problem.

My own experience is that probably 95 percent of these people we make cases on walk up there and plead guilty anyhow. So, I don't think that's the problem.

I've said all that I came here to say. And to me, having committed now 26 years of my life to law enforcement, that's how I see it.

Mr. **Rangel**. Well, I tell you, Director Carson, you've made a major contribution. And I see members of the administration for the most part nodding their heads in accord with some of your—Dan, you were nodding your head.

Mr. **Leonard**. I agree with him, wholeheartedly.

Mr. **Rangel**. That's what I'm saying—in accord—and we have to get support on this side where we can get it.

Now, tell me, you've spent a great part of your life in law enforcement, and you make a lot of sense with the recommendations you've made to us this morning—how would you normally, in the State of Tennessee, get some of the recommendations or resources that you needed?

How would you let the people know what you needed to work with? I mean, you go to the Governor, who appoints you, or were you elected as a district attorney or appointed?

Mr. CARSON. Well, I was elected as a district attorney. I'm appointed through a select committee recommendation as the director.

Mr. RANGEL. I mean, how do you work in Tennessee? This is my job, this is what I need to work with?

Mr. CARSON. I don't believe I fully understand your question, Chairman.

Mr. RANGEL. What I'm trying to do is to see how I can break through without changing the style of law enforcement, to see whether or not we can elicit your support for the programs that you're recommending.

Mr. CARSON. All right.

Mr. RANGEL. So, what I'm trying to do is to see how you normally function outside of the Congress. If you—if this was merely a State problem and you needed a computer and you needed an educational system set up, what would you do?

Mr. CARSON. All right. That's very interesting. I'm glad you asked me.

The southern Governors had a conference in 1982. Bob Dempsey and I cochaired the law enforcement committee. These same recommendations are in that report.

Now, immediately—I have a report that has all of that in it, frankly—with me today.

What we did in Tennessee, immediately, was the Governor turned to me and he said, "What can you do about eradication program for marijuana and illegal laboratories in the State?"

And I said, "Well, growing of marijuana I can do something about if you'll form a task force, and we'll address it during those months by redirection of personnel in four or five different agencies that have some law enforcement jurisdiction."

We believe that has been tremendously successful.

The laboratory thing and the hospital as a source and so forth, we are now addressing with the new people. For instance, I'm going out and hiring probably two agents who are nurses with some experience to simply be hired on throughout the hospitals of that State. That's how doggedly determined I am to do something about it, to simply go to the source and make cases against these people. We're going to address that one now.

And the education program, my Governor turned to—I believe it's the commissioner of the mental health department—we have a department in the State of Tennessee—and he has appointed a committee. And they are working on that at the State level.

I am not on it, and I was told the other day I should be on it by somebody from his executive branch. And one of the problems I—one of the reasons that was said that I should be on it was that I think the direction of the type of education is not developing along the lines that it should—that is, the negative turnoff of a child over a period of a year, or whatever time it takes.

Now, that's how we addressed it. We've gone back and gotten a recommendation that doubled the size of the TBI force to deal with narcotics in Tennessee this year. I was just now in the process of hiring the people when I came up here. So, I think we have an effective way.

Now, there's one other thing though, as I was listening a few minutes ago, that I have been probably remiss in, because I have the freedom that a great number of the gentlemen here do not have, and that's unfortunate. I have the freedom to do things that I need to do, without regard to political implications. And many of them suffer under that, unfortunately. But that is, I probably will go back and try to call a meeting right soon of my Congressmen and Senators at the Federal level, and I will get representatives from the district attorney's organization, which I was formerly a member of, myself, chiefs of police, the sheriff's department, and just sit down and tell these people about what I have told you today.

Now, if that answers your questions, that's——

Mr. **Rangel**. It certainly does. And you also have presented the problem by making it abundantly clear that you don't have it. You can call together your representatives, you can share your problems, and you can say, "If you want me to try and tackle it, these are the resources I need."

Maybe you would be the best person to tell us: How can we get the input of politically appointed police chiefs without jeopardizing them or putting them in the position that it appears as though they're getting involved politically?

How can we get the information as to their needs, their resources, without having them calling up their Congressmen or meeting with their elected officials?

Mr. **Carson**. Well, let me say, first of all, I apologize because I can't give you the clearcut answer that I want to give. But I will try.

Mr. **Rangel**. OK.

Mr. **Carson**. First of all, you have defined the problem. You know, we keep tongue in cheek quite often, but if all these people could really tell you, because I hear them, I talk with them. The real problem is, in law enforcement—and this cuts across this country—the real problem is the accountability for your actions do not come back home to the executive branch of Government, they go to the judiciary.

You have police agencies who are structured in the administration—and I guess they have to be—but every single thing they do, if they're doing their duty and only their duty, is going by way of the courthouse. And it doesn't make any difference what the administration that has power over them is saying; they're measured down there on the witness stand and the jury verdicts as they come.

So, their end product of law enforcement is to the judiciary. And yet, the purse strings, the appointment, and the status of these people are still managed by political people who do not understand the nature of the serious problems that we are talking about here today.

And I swear you cannot properly administer that kind of an operator, policeman, unless you understand and know what his real problems are.

And the competing nature of things for the dollar places an unreasonable burden on the policeman to speak up and say—he can't even hardly speak up for his salary, let alone anything else.

Fortunately, in Tennessee, because of the way in which I am appointed, for a definite term of office, I and the structure of the law itself makes me the spokesman for drug enforcement in my State. I can become the spokesman, I think, in Tennessee for these people without it embarrassing anybody. And I know what they think.

But I think probably just a representative of those people meeting with Congressmen and so forth would probably work in many cases.

Mr. RANGEL. Tell me, do you—are you a member of and do you participate in national law enforcement agencies, where perhaps the appointed police chiefs could speak up and participate and not individually be on the record, but where, collectively, they could send a message to Congress so that if the elected official wanted to check with the police chief and say, "Does this make any sense to you, I'm about to vote on it on the floor today," that we could establish that type of communication?

Mr. CARSON. I think so. And I think, as the gentleman from Michigan said, Tennessee is a member of the Drug Enforcement Alliance, have been all these many years. It's increased recently from just a handful to almost every State in the Union. I have a representative on it. I also attend those meetings personally, just to have input, though I haven't had that much input.

But I think your input for this kind of thing has to come through that Drug Enforcement Alliance, because then I think you have a strong input, representing almost all the States, with the fact you people could check back with the chief of police, or whoever it is, to find out does this, in fact, represent your views on this matter.

Mr. RANGEL. OK.

Now, is Lieutenant Robinson from Michigan still with us?

[Pause.]

OK. The ideas that were presented by Director Carson of Tennessee, is it possible to have this type of agenda on the item of the alliance, where you could get the input of the membership where the Congress would be able to know what they're thinking would be on some of the things he was talking about today?

Is that in line with the things that you do when you meet nationally?

Mr. ROBINSON. Yes, that is in line with what we're doing.

Mr. RANGEL. You mean for your meeting?

Well, what I want to make clear is that I don't need any publicity, I don't personally have to be involved, I've got enough problems. I am only groping right now as to how you can be more effective and how we could create effective lines of communication between you and your Congress without making the thing political.

And so I don't have any problem in saying publicly at your outfit what I'm saying now. I had thought by sending Republican and Democratic staff there that might be a better way to do it.

But I guess my basic question is we don't have any problem in having members reach out to you. And certainly I don't think any of you would have a problem if one of your members would listen.

They're talking about a national computer in order to get information locally down here to Washington. They're talking about a national education program that's being discussed with the administration. These are the things that we think it can accomplish.

We're talking about having resources made available upon application from local and State law enforcement officials as it relates to narcotics for the following types of equipment. Does this make any sense? And if it doesn't, what would you recommend that we would do?

This we would like to do so that you have some impact without jeopardizing tradition or without changing tradition which you enjoy.

We don't want you guys running up and saying, "Vote for," and "Vote against," someone down here. But we do need your input and recommendations, such as Mr. Carson has made, so that—well, we're both from New York—but so that someone from Hawaii, if the recommendation is made, they'd like to be able to call their chief and say, "Does this make sense?"

Now, we have gone around to different communities. We are proud of the things that we've been able to do.

What Congressman Akaka said is—which some of you may not know, but over 90 percent of the marijuana coming out of Hawaii was being shipped through the U.S. Post Office. It took a visit of us to go there to turn that around, where he says they have a handle on it.

We can't do this with the hundreds and thousands of communities in the 50 States. But we can do it if you feel secure in having a relationship with the committee. And we then could organize your delegation and ask—like you don't need our help in Tennessee, but if you did, we could go to the Tennessee delegation and say, "This is a problem they're having. Can you help them with it?"

And collectively, you would have the committee supporting their efforts.

So, if we can get this type of thing on the alliance agenda, we would promise you that we will start that communication. Whether it works or not, we don't know. But we'll try.

Mr. CARSON. Mr. Chairman, one little comment I'd like to make so that the law enforcement community wouldn't misunderstand me, or Congress—either one—the committee. That is, when I'm talking about drug enforcement intelligence and the collection of it and so forth, now each agency, of course, collects all kinds of information that's what we call not "hard." It's soft intelligence.

I'm not talking about distributing that kind of thing. I'm talking about the hard type of evidence on all the people who have been arrested and convicted and this sort of thing. I think that, in and of itself, will supply everything that is needed.

So, I want to avoid those comments that say, "Well, you can't pass intelligence." Well, you can pass intelligence if it involves arrests, convictions, known types of drugs, when, where, and this sort of thing.

I had wanted to clarify myself on that.

Mr. RANGEL. You make a lot of sense, Mr. Carson.

I think Mr. Gilman wants to——

Mr. **Gilman**. Mr. Carson, we thank you for the pertinent proposals. And I'm sure they're beneficial to all of us that are listening to you.

Have you taken the time to pass these on specifically to the Federal agencies at any time?

Mr. **Carson**. No, I don't think so.

I've just listened to discussions over a period of a couple of years, floating around. And I keep hearing the same thing come up, the problem and so forth. Then, I sit down by myself and I try to analyze, well, just what does—what's the meaning of what I am hearing, what does it impact. And I've given you that today the best I can.

Now, Bob Dempsey and I have—yes, we've shared this totally. And I guess he's still back here. And I think he has Florida maybe further along than Tennessee in this regard.

Mr. **Gilman**. Yes. Is Bob Dempsey a Federal representative?

Mr. **Carson**. No. He's the State director of the Florida Law Enforcement Agency.

Bob, are you here?

Mr. **Dempsey**. Yes.

Mr. **Carson**. I keep talking about him.

Mr. **Gilman**. Well, have you been reluctant to share it with any of the Federal people?

Mr. **Carson**. Oh, no. No.

Mr. **Gilman**. Or is it an inability to do it?

That's what I'm trying to find out.

Mr. **Carson**. No. Well, I just don't think we've had the forum, a forum to really do it. I think today is the day.

Mr. **Gilman**. Well, I'm glad we've found that opportunity.

Mr. **Carson**. If what I have to say is worth anything—I think it's——

Mr. **Gilman**. I would hope that, for future reference, a person like yourself who has such good suggestions and others out here in the audience are not going to be reluctant to come forward to these representatives who are here from the White House, from Customs, from DEA, and from the Coast Guard.

I would hope you would be encouraged to reach out to them. And if you find they're not cooperative, let us know. We'll try to bring you both together to iron out some of these problems.

I think too often we sit on the opposite sides of the fence and are unwilling to reach out to each other. And I hope we can somehow, with this conference, dissipate some of that feeling and try to bring you all closer together.

Thank you.

Mr. **Rangel**. Thank you, Mr. Carson.

Yes, sir.

Mr. **Sundberg**. Mr. Chairman, my name is Bob Sundberg. I'm the commissioner of public safety, State of Alaska.

I have found great interest in some of the conversations that have been going along here. And I am an appointed official, but, you know, I'll say anything, anytime.

Mr. **Rangel**. OK. I'm sorry. Did——

Mr. **Sundberg**. OK.

Mr. **Rangel**. Alaska.

Mr. Sundberg, you made a long trip and——

Mr. SUNDBERG. Well, I was on another conference in the State when I found out about this one, so I came on over to Washington, Mr. Chairman.

Thank you.

Mr. RANGEL. I was glad to hear this morning that those people who got caught by the Russians are pretty safe and they're back home now.

I think you heard about it.

Mr. SUNDBERG. Well, are they back home, or do the Russians still have them?

I heard they still had them.

Mr. RANGEL. They're on the way back.

Mr. SUNDBERG. Oh, they're on the way back.

The gentleman from Hawaii made mention of the amount of drugs being sent through the U.S. Postal Service. I'll just comment on that for just a minute. That was a Pele investigation. And that happened in about December of 1983.

A large volume of drugs they intercepted at the post offices in Hawaii.

In June of this year, for the information of the people here, we put together a program in Alaska because we were very suspicious that a large amount of drugs were coming into our State like that.

And the U.S. Postal Service augmented their staff up there, as did DEA. And certainly after 29 days, we had intercepted about $150,000 worth of marijuana, cocaine, heroin, illicit drugs, and pharmaceutical drugs that were diverted.

Anyway, it is a major source. And I wish to say that we only mess with the first class mail, not with the parcel post, because of the profile of the packages.

So, I really think that the U.S. mails are being utilized by the drug distributors, not only to our State but to other States.

Hawaii, by the way, was the greatest source of the packages with the drugs. About 65 percent of those intercepted did come from Hawaii. So, the problem is still there, even after the big program they had.

I will be submitting a full report of that to our Senators here, Murkowski and Stevens, and Representative Young. And I'll make a copy of it available to Mr. Cusack, to give you some indication of what we found out in 29 days.

The recommendations—well, to start off, the Federal and State relationships in Alaska have always been good. There are only two DEA officers up there, so I guess they have to get along with us. [Laughter.]

No, we've always had a close relationship in Alaska with the Federal agencies.

The State drug problem is the State responsibility. We are investing a lot of money in it. We've got the State into geographical areas, one person only within the Alaska State Troopers is responsible for all drug activities. Metro squads have been formed through western Alaska, southeastern Alaska, central Alaska, and northern Alaska.

In a recent case, we ran into some frustrations with the lack of cooperation—I would say lack of cooperation with trying to get the investigative leads followed up DEA down in the lower 48, we call you people down here.

And we actually had officers from Alaska fly to New York to actually see the drug transaction and follow it up to Alaska.

Twenty-eight people were arrested in that. It was Colombia cocaine; well over 2 kilos a week were being distributed and sold in Alaska. The last defendant was just sentenced to 40 years and $150,000 fine. This is the Russeck family out of New York. We finally keyed on that one.

So, there are large drug transactions going on in Alaska.

The recommendations I would make as to what the Feds can do, similar to what I have done since I've been the commissioner—I was also the chief of police up there for years. I know the frustrations the chief goes through.

My instructions to the Alaska State Troopers are, in the event a local chief calls and asks for assistance for a drug problem in any town in Alaska, that we respond immediately with our resources and men. The State had more resources than the local chief, that's for sure.

In many cases, the Federal Government has more resources than the Commission of Public Safety in the State of Alaska. He is all over the United States and the territories, and he does have the intelligence and the resources to follow up investigative leads that I may ask. I'm not asking him to come and provide me with overtime money or anything. All I want is a degree of cooperation on following up investigative leads.

In Alaska, the U.S. attorney's office is staffed only to handle the work of two DEA officers. So, we're quite restricted on filing Federal charges in Alaska on drug cases.

Also, DEA is just about at the end of the rope up there. So. I guess, by the time the money gets up there, it's pretty limited.

Knowing that, we have purchased hundreds of thousands of dollars worth of our own sophisticated equipment, and I think we loan it now to DEA. [Laughter.]

But anyway, that's the way the cooperation works up there.

OK. Like I say, I've stressed this area of cooperation on the following up of investigative leads, especially if an officer in the State of Washington is working on a New York connection, I don't think he has the resources to put his officers on the airplane to fly to New York. DEA should be there. There should be a central clearinghouse for requests, I feel, within DEA that States can call into and ask for intelligence information on cases they may be working on.

Also, hopefully, the DEA will follow up and do any stakeout work necessary or see that it's done so we don't have to fly people all over the country.

The issue of education and training that the DEA is presently conducting, I'm fully supportive of that. I wish it would continue.

Also, the continuation of the Federal-funded program, which we call the Western States Information Network. The Feds do fund this particular program, and there is a representative from each of the Western States. In fact, they just met last week in San Diego, sharing intelligence information on their drug traffic.

Other than that, I feel the cooperation has been good. I see an upsurge of drug traffic, not a lessening of it, Mr. Chairman. I anticipate there's going to be more of the same. And the budgets in the State of Alaska are reflecting this increase, also. Much—many State resources are going into this problem.

It has a trickle-down effect, of course, with the street crime. And the jails are full, the officers have the courts inundated with cases, the jails can't handle any more, the courts are now telling us—restricting the number of people you can put in your jails.

So, as far as the police officers on the street, they're doing a heck of a job. They've got the total system inundated with suspects and defendants.

Other than that, Mr. Chairman, I wish to thank you for making some comments here today.

Mr. **Rangel**. Well, thank you for your contribution. We're lucky that you were on the mainland when we had this conference.

Tell me, do you participate with the alliance, or do you have a representative there?

Mr. **Sundberg**. I don't believe so.

Where's my colleague from Michigan? Is Alaska in that?

Mr. **Robinson**. No.

Mr. **Rangel**. Do you think it's feasible, because it just seems to me that we're trying to get a vehicle. And if you have any better idea, now is the time to express it, where we can get a feel for what's going on in the 50 States and their jurisdictions and where we can find a Federal trend, a leveling off, where we can improve. And at least we'll be able to say, well, this is one of the recommendations that came out of the alliance.

And we hopefully—I'm not trying to recruit membership for the alliance, they certainly don't need that, but it would assist us in going to our colleagues, many of whom don't have the same type of problems, to share with them what is—where we need their support legislatively.

Mr. **Sundberg**. Yes. My colleague from Michigan, may I ask him a question?

Mr. **Rangel**. Yes.

Mr. **Sundberg**. Is the alliance going to meet with the IACP when they meet in Salt Lake City?

Mr. **Robinson**. OK, fine. OK.

Well, we'll be there then. OK.

Mr. **Rangel**. Thank you so much.

Mr. **Sundberg**. OK.

Mr. **Rangel**. Ben Gilman is going to chair this.

I'm going to be leaving—just for 15 minutes. We have a procedure called 1-minute speeches, and I want to alert them that we'll be opposing the bill, the use of legal heroin bill for terminal patients. And I'll return right away.

Mr. **Gilman** [presiding]. Thank you, Mr. Chairman.

We call for the next speaker.

[Pause.]

Would you please identify yourself?

Mr. **Robert Dempsey**. Yes, Mr. Chairman. My name is Robert R. Dempsey. I am the commissioner of the Florida Department of Law

Enforcement, the Bob Dempsey referred to by Arzo Carson of Tennessee.

I have been involved in this problem at the State level for a little over 2 years, having met with the Southern Governors Conference and 13 Southern States in September of 1982, to put together a plan of attack on the drug problem from the Southern States' point of view.

A word of caution, I lack diplomatic skills. I kind of speak my mind, put my foot in my mouth and things of that kind at times. I'm not here to offend anyone or to create agitation among any of the agencies that are involved.

I must say that my relationships with the Federal agencies during this particular tenure has been excellent, I will not say that the coordination and cooperation is what it should be, even among the Federal agencies themselves. But the effort is there, and that is commendable.

What I have observed, as a kind of an observer, is that we are engaged in a kind of comic opera. We have so many players and so many courses and so many acts going on at one time that we lose sight of the basic simple problem that we are facing.

And maybe I'm very simplistic in my intellect and maybe I don't have a grasp—or I'm too idealistic, but we haven't really sat down, as I suggested to Lowell Jensen a week or two ago when they set up the 13th task force in Florida, and had a think tank about what our problems are and where we should be really going.

We have got task forces and conferences and strike forces and LECC's and meetings of congressional committees till they're coming out of our ears, with no meaning of disrespect to any of them. Everyone is acting in good faith and trying very hard to address this problem.

But I see a really serious lack of coordination. I see too many layers of people involved. I see agency turfism, jealousies, competition, all kinds of things. And I think any disinterested observer will see the same kind of thing.

We are, in effect, playing sophisticated Keystone Cops for those of you who will remember the days of the silent films.

Our problem grows worse and worse, notwithstanding all of this. We have more cocaine on our streets than ever before in our history.

Recently, in the Florida area, the price of cocaine dropped from the 60's per kilo to down in the teens, $17,000-$18,000 a kilo.

Thankfully, in the last couple of months, we are drying it up, thanks to the efforts of the Federal people and some of the work by the State officials and local officials to where the price is now back to about $30,000 a kilo. Wonderful news. I'd like it to be $200,000 a kilo.

But anyway, I don't want to get into all the little nitty-gritty of operations, how many arrests we've made or anything of that kind.

I want to reiterate for you what Arzo Carson was saying before, the 8-point program that we put forth 2 years ago. It's very simple. We cannot continue to attack the symptoms. We have to attack the disease. The disease is the demand in our society for drugs. We are a drug-oriented society.

And I don't agree with Arzo that we have to do it through the school system.

You put a kid in front of a television set at 2 or 3 years of age and subliminally he's getting a message about drugs every day that he watches that tube.

Pain relief, lack of sleep, this, that, or the other thing—that this pill, take that pill. We are a drug-oriented society.

Our athletes are seen on television pumping alcohol into their system. Our athletes are disqualified from performing on professional teams because of drugs in their systems. They are the role models for the kids in our ghettos and our streets. And yet it's perpetuated.

If we need an educational system, we need one that permeates society, not an educational system in the sense that we have some curriculum in our schools that's required of all our kids, but one that permeates every aspect of our society. The social, the political, the athletic, the theatrical, the media, whatever needs to get on the ball and start saying, "Drugs are bad, and let's get away from them."

The Surgeon General of the United States has mounted a massive campaign against cigarette smoking. It has taken years to become effective, but I think it is showing successes.

I don't think the drug demand is going to be cut off tomorrow or next week or next year. I think it's a generation away.

But if we're going to attack the problem of drugs, we cannot just say, "Cut it out, Bolivia," "Cut it out, Colombia," because it's going to move to other countries. As long as there is a demand, there will be a supply. There is no question in my mind about that.

So, the first plank in our effort is to be the educational system, a broad, generic, educational system throughout the country. And we need the Federal effort.

In Florida, the Governor has created the Commission on Drug and Alcohol Abuse, which was one of the eight points that I mentioned to you earlier. Our State has an active commission, informed parents, and all kinds of programs going on to permeate society with an antidrug mentality.

The second point, eradication at the source. We have talked about that, and we believe the Federal Government is doing everything it possibly can in this area. And I won't fault the State Department, DEA, or anyone else, because you have to be realistic, looking at the economies of the countries that are involved in producing drugs.

And if we shut down all those friendly countries, what about the nonfriendly countries? How do we deal with them? How do we deal with those countries who are behind the Iron Curtain who want to produce drugs and are not party to any treaties with us? The supply will still be there.

The third area, interdiction. We cut off the demand; that's the first plank. We try to eradicate at the source; we continue that program.

Interdiction is essential, and yet it's failing. In spite of the monumentals of the Coast Guard, Customs, and all of the agencies involved in that, we have not been able to really reduce the drug influx into this country to a trickle.

Let me give you some statistics—and I don't like quoting them for you. In the last year, 35 aircraft got into the State of Florida and were seized by local law enforcement agencies, mostly sheriffs, carrying drugs—10 with cocaine and 25 with marijuana.

None of these aircraft, which came from foreign countries, were interdicted by the Federal effort.

Now, if we're only getting 10 percent, extrapolate that out, and maybe we've got 300, 400, or 500 planes coming in to the country during the year carrying drugs. No wonder the streets are flooded with cocaine.

A new technique being used by the drug smugglers, they bring in the raw paste. We had 15 laboratories in Dade County, 15 laboratories since October of 1983, processing cocaine. Now, to do that, they set up the clandestine laboratories—they need ether, they need other precursor drugs, and they process the cocaine. And it's easy to ship in that way, it's easy to control, and they ship it throughout the United States.

Cocaine laboratories are not unique to south Florida; they are moving throughout the State. I believe that they will exist in other States. And we probably need legislation, as the National Drug Enforcement Alliance has recommended to Congressman Gilman, Congressman Rangel, that we need to try to control the precursor drugs—chemicals—as has been done in Colombia.

I am not for lots of regulation, but certainly it is the ether and the other supplies, acetone and whatnot, that are being used to process drugs that are too readily available in this country.

For example, a 50-gallon drum of ether in Colombia costs about $7,500. Here the price is about $300, and it's freely accessible, and there are no controls on it.

Anyway, so much for the interdiction effort.

We need high-level investigations, which is what the thrust of the task forces have been.

When I came to Washington 2 years ago when they were starting to create those task forces, I tried to suggest that we need to have a multifaceted attack and not just a high-level investigative activity by the Federal people.

They're doing a good job in that area but, again, I don't think they've really got their act together yet. Maybe I'm being premature in my comments; maybe, down the road, we're going to see some greater and greater successes as we go along. The effort is there; I know that. But I am not satisfied—I am frustrated—with the fact we have so much drugs on the streets.

And let me tell you, gentlemen, I am very convinced, as all of you are, that drugs are directly related to your crime rate.

I see in the State of Florida, and it's my responsibility to maintain the statistics, a turnaround in the crime rate. It is going back up. We had nine consecutive quarters of decline. This quarter, for the second quarter, 1984, there's a turnaround and there's an increase in indexed crimes.

I say you're going to see that nationwide if we do not curtail the drug problem.

The next level, we need enhanced street operations. And I think your bill, Congressman Gilman and Congressman Rangel, and those who support it, will be very, very influential in that area. We need the funding at local levels. We need additional Federal funding.

And I hate to come before any governmental body and say, "Give us more money; we'll do the job." I don't believe that throwing money at a problem solves it. But the fact is that we do need it, and we are not getting that kind of support at the local level.

So, we need to enhance the street operations, because we have to keep the pressure at every possible level.

Another area, the sixth area, was uniform legislation throughout the States we recommended. Now, Florida has a number of model laws. We have a Contraband Forfeiture Act, a RICO Act, minimum mandatory sentence, and a whole number of good statutes that are very successful for us.

Under the Contraband Forfeiture Act, whatever we seize at the State or local level is forfeited, auctioned off, and the proceeds go into a law enforcement trust fund for the use of law enforcement agencies to combat the particular activity that they've been investigating.

You don't have that at the Federal level. As I understand it, when there's a seizure by Federal people, whether it's DEA, FBI, Customs, whoever, if they put that Federal seal on it, whatever happens to that property after it goes through the question of who wants it is, once it's sold, it goes into the General Treasury, and it does not go back to fight the particular problem in which it was seized.

So, you need to take a look at that and maybe make those funds available back to the Federal agencies or back to local law enforcement, rather than going into the General Treasury.

Uniform laws are crucial. You have States without wire tap laws. You have States without RICO laws. So, we need to do that, and there is a committee working on that from the National Governors Conference, I believe.

Dedicated prosecution effort—thanks, again, to your bill, there is some funding there for the dedicating and enhancing of the prosecution effort. That is crucial. You do not have enough prosecutors on the State level. The courts are inundated, in the local districts, with criminal cases. I was a prosecutor myself many years ago when I was in New York City, and I know what it is to come into a calendar every week that stuns you, you don't have time to think it out. You just get in there and respond and respond and react.

So, we need a dedicated prosecution effort, and the funding in your bill will help that.

And finally, the other issue that was raised by Arzo Carson and the last speaker is the central intelligence capability.

In Florida, we have what is called a Florida Intelligence Center within my department. We have 400 State agencies that belong to that particular center. We are tied in with EPIC in Dallas—or El Paso, rather. And we have advocated that every State set up their own centralized intelligence center within the State. Then, each State can have a network, communicating with other States and the Federal agencies through that network.

You cannot have 40,000 law enforcement agencies trying to get through EPIC or trying to get through any one intelligence center. It's a physical impossibility.

Now, the system that we use in Florida is not one where we regurgitate everything that's in the system. It's a pointer index system.

Now, I've been in this thing for many, many years, and I know that when you have an intelligence system that regurgitates what you put into it, people are reluctant to get into that system.

The pointer index system is simply this: If one police department queries the system about a particular suspect or information that they're interested in, they are not told what the information is in the system; they are told who contributed regarding that and how to get in touch with them. And then, the particular agency that had the basic information can decide whether or not they want it released to that other agency and how far they want to go with it.

So, a centralized intelligence capability is crucial There should be one in each State to handle all of the State agencies. And those in the 50 States should interlock.

Now, the National Drug Enforcement Alliance by the lieutenant from Michigan here, one of the directors in my department is the chairman of that particular group. There are 46 States. They're meeting with the IACP in October in Salt Lake City, and I know they've extended an invitation to this committee to participate. That is a beginning. Two years ago, they had 13 or 14 members. But it shows the will of the State law enforcement officials to get together, come together, and try to do something in a concerted effort about the drug problem.

I won't go into anything else. I'll be happy to take any questions. But I do commend the committee for its H.R. 5990; we support that bill.

Mr. GILMAN. Thank you, Mr. Dempsey. And thank you for your thoughts.

This eight-point program that you elicited just now is part of the program that you and Mr. ——

Mr. ROBERT DEMPSEY. Arzo Carson.

Mr. GILMAN [continuing]. Carson——

Mr. ROBERT DEMPSEY. We cochaired the committee that put that together in September of 1982.

Now, that is the National Governors Conference. They ratified that program in February of 1983, and it became a national program for all of the Governors in the States. And we have implemented all of the points in the State of Florida, and we have encouraged the other Governors—Governor Graham has encouraged the other Governors of the States to pick up any of those areas that are pertinent within their States.

Mr. GILMAN. Have you had an opportunity to go over that program with any of our Federal drug enforcement people?

Mr. ROBERT DEMPSEY. Mr. Gilman, I meet with three LECC's in the State of Florida, law enforcement coordinating councils, each of the attorneys in the State, regularly. We have conferences all the time. I'm a member of all of the various task forces. We have an advisory group on NNBIS in Miami, and I communicate and talk to them all of the time.

One of the problems that I have is we do a lot of talking a lot of communicating, but sometimes we don't see the results falling out.

So, I'm not faulting anybody. I know that there are a lot of problems in getting action—you know, where words are easy.

Mr. **Gilman**. Besides the regional meetings and conferences, have you had an opportunity to talk to any higher level with any of our policy people in Washington about the eight-point program?

Mr. **Robert Dempsey**. Yes. I think Lowell Jensen of the Attorney General's office is very familiar with the program. I think he's the Deputy Attorney General. And a number of others.

We've worked with the people at upper levels of DEA, but Mullen and some of the people here at this table, and they're very cooperative. And they understand. It's not for lack of interest in trying that we don't have a real coordinated effort. Maybe we're moving toward that slowly, but I am one of those action-oriented people, being a street cop. Basically, I like to see things get done.

And maybe we're getting in that direction, and I hope we are.

Mr. **Gilman**. Are you seeing some progress, since your report came out, on any of the recommendations?

Mr. **Robert Dempsey**. Well, I see that—for example, let me just give you an example of what I call the bureaucratic maze.

The concept of uniform State laws was a very simple one. The idea was to take a State like Florida that has a panoply of laws to attack crime, AY-type statute, a Contraband Forfeiture Act, and so forth, and get each State that doesn't have it and send them a copy of that and say, "Here, whatever form that you use in your legislature, try to sell these bills to your Legislature." OK?

That was a simple concept.

I understand now, that after all the machinations that have gone on, there are all kinds of committees, there are Federal grants to set this thing up and all kinds of stuff. You know, a very simple matter has been blown all out of proportion to reality as to what was really needed. But that's the way, I guess, it works. We have to spend money and hire people.

Mr. **Gilman**. It's my impression the attorneys general have some sort of committee on uniformity for the State laws. Have you reviewed this?

Mr. **Robert Dempsey**. No. That's come out of this recommendation. That's part of what I'm saying, we have attorneys general meetings, and we have this kind of meeting and this kind of conference and Federal grants and everything else.

Mr. **Gilman**. Have you addressed the suggestions in this report to the attorneys general, to see if they can adopt some——

Mr. **Robert Dempsey**. Well, when the National Governors Conference adopted our recommendations, it became their program and their platform.

Now, that's where it started to get into the attorneys general of the States and whoever else was involved, and the need for staff to develop this, and Federal grants and all this other stuff.

And that's where I get my frustrations.

It doesn't take a senior in law school to go through a law library and cull out all of the statutes dealing with narcotics in a model State and then send copies of those to every other State and say, "Here is how it's done in—" whatever State—"maybe you want to take a look at it and adopt some of these in your legislative format."

But, no, we have to have—we'll probably go through this for years, with commissions and everything else, to decide how to put out model laws.

Mr. **Gilman**. Mr. Monastero, could you comment on these proposals and where you see some progress being made?

Mr. **Monastero**. Well, I can only say, Mr. Chairman, that we are involved, we have met—you know, we've supported the proposals that they've recommended. But they are in the hands of the Governors Conference.

And as Mr. Dempsey indicated, it's up to every State legislature to adopt those—for instance, in this particular case, to adopt those statutes.

We have, as you know, done the same thing in DEA with some success. We've gotten the various model statutes out, the Paraphernalia Statute, among——

Mr. **Gilman**. Well, that's what I'm talking about specifically.

We have, at the Federal level, on occasion—have promoted some model statutes.

Is there anyone taking a look at the model statutes at the Federal level and trying to be of help in getting this out to the States?

Mr. **Monastero**. Well, I don't—I hate to beg the question. I don't see this as a responsibility for DEA.

Mr. **Gilman**. Well, I'm talking to you as also a representative of Justice.

Is there anyone else here from Justice today?

Mr. **Monastero**. I know that the Department——

Mr. **Gilman**. I would hope that you might take back this thought into Justice——

Mr. **Monastero**. Well, I think the Department—I think Mr. Dempsey has indicated he's met with Lowell Jensen. I think that the Attorney General's office is very much aware of——

Mr. **Gilman**. I know the awareness.

What I'm asking is are there any constructive steps being undertaken to try to help implement this?

Mr. **Monastero**. I'd have to say I really don't know. I don't know.

Mr. **Gilman**. I would hope that you would inquire and let us—could you respond back to our committee and let us know what steps——

Mr. **Monastero**. Yes; I will.

Mr. **Gilman** [continuing]. Are being undertaken by Justice to help develop some uniformity in these kinds of laws that are so sorely needed at the State level? It would help all of us perform in a better manner.

Mr. **Monastero**. Yes, I can indicate, for instance, that I know the forfeiture statute has been, you know, disseminated.

However——

Mr. **Gilman**. As a model bill?

Mr. **Monastero**. As a model bill, but we don't have one yet. I think it's in your package and will probably be acted on very quickly.

Mr. **Gilman**. All right. I would hope that you could let us know what we can do to be of assistance in developing these model bills and get them out to the State legislatures.

I think I'd like to ask Captain Schowengerdt from NNBIS to comment about the interdiction progress.

I note that Mr. Dempsey said that they had some 30 or 35 flights into Florida, none of which were the result of any Federal involvement. I had the impression we were doing pretty well in helping out down there.

Can you make some comments about our efforts in that direction?

Mr. SCHOWENGERDT. Well, Mr. Chairman, during the same period of time, of course, there were a number of flights, interdictions of flights headed for Florida by the combined Federal and State efforts.

Well, Bob, of course, knows. I think his point was to illustrate that there's not all these flights still getting through, and that's true; and we're working very hard to try and counteract that problem with the combined resources of the South Florida Task Force and NNBIS, both in that area and in the area of the Bahamas and Jamaica and all those places, the places which are sources for those kinds of flights——

Mr. ROBERT DEMPSEY. Mr. Chairman, let me interrupt the captain for just a minute on that issue.

I so strongly believe in NNBIS that I have two of my agents assigned there to represent the five Southern States bordering Florida. And we had a meeting on that, we asked for an advisory panel, and Admiral Cueroni's predecessor Admiral Thompson, met with us, we set up an advisory panel of the five or six States, I agreed to put my people in there as representatives of the States. And I believe in NNBIS, and I know they're doing a good job; but they are very limited, they do not have a budget of their own. Everyone that has someone in there is funding it themselves.

They are making an effort. But I'm telling you—and they know it, and we all know it—it just ain't enough. We've got to do a hell of a lot more. If this is a war, let's get all out after it.

And I don't want to start going into some of the things that have bugged me and other law enforcement officials. I deal with all of the local law enforcement officals in my State on a regular basis, and I hear about their frustrations and I hear about lack of cooperation and things of that kind. And they're there.

We heard all the fanfare and hoopla about the AWACS, what they were going to do. I don't know that AWACS ever did anything. I don't know how many flights.

And all I know, there were bill-back problems with tremendous costs when they were going to fly.

I don't think the Coast Guard has enough. I don't think Customs has enough. I don't think DEA has enough—to do the interdiction problem the way they would like to do it.

We have a corridor up through the Gulf of Mexico—and this is not a secret—where I don't think we really have a good security net. And planes are flying up through there.

There are blind spots all over the State of Florida where these planes fly in—low flying, they beat the radar. The Air Force only intercepts certain kinds.

And so we have to do a heck of a lot more. And I don't want to get into the logistics of it, because some of it is confidential. But we aren't doing as much as we could be doing. And I'd like to see some more effort in this regard.

Mr. **Gilman**. Mr. Dempsey, you talked about a more dedicated prosecution effort——

Mr. **Robert Dempsey**. Yes.

Mr. **Gilman** [continuing]. As a former prosecutor. What specifically would be of help to the prosecutorial end of all of this?

Mr. **Robert Dempsey**. I was a prosecutor while I was a policeman in New York City. I was an attorney within the New York City Police Department. I prosecuted in the courts up there. I don't want to mislead you to think I was a district attorney or anything of that kind.

I've also worked very closely with the State attorneys in the State of Florida.

I can recall the day when I was still in Dade County as a chief down there where a prosecutor would not want to prosecute someone for a few joints; they put a parameter on how much they would prosecute for. It was almost hypocritical if they did prosecute, because they had pot parties themselves the night before. They're sniffing cocaine.

And it's no secret that judges, lawyers, doctors, people from all walks of society are doing this. There's almost an acceptance of drugs. And that's why we get back to the initial problem of the demand side.

But when I'm talking about the more dedicated prosecution effort, I'm talking about we need more prosecutors, we probably need some more judges, and obviously we're going to need some more jails. And your bill addresses this very commendably, because the workload of the prosecutors is excessive, because, you know, it's the chicken-and-the-egg theory. The crime rate is so high and the crime rate is going to escalate again. That's my gratuitous forecast for you. And it's directly related to drugs. Anybody who has been a street cop knows the drug user has to get funds for his habit, and he cannot earn enough in a legitimate job. So, he knocks off the lady's pocketbook, he burglarizes your home, he rips off your car, he sticks up the 7-Eleven or—convenience store. And that's where the funds come from, and that's where the crime rate escalates.

So, you know, it's a very complex problem, I know. But I think we can boil it down to its essence and address some of those basic issues.

Mr. **Gilman**. Has your State responded to the need for more funds at the prosecution level?

Mr. **Robert Dempsey**. The State has been very supportive. As a matter of fact, last year or a year ago, they increased the sales tax by 1 cent, with a dedication of one-half of that to the criminal justice system.

So, they have been very—the legislature there and the administration have been very favorable toward that effort. But there are limitations on what can be done in terms of taxing the local citizens.

Mr. **Gilman**. What about the Governors Conference? You've proposed the use to the Governors Conference. Are they following up on trying to help implement some of the proposals?

Mr. **Robert Dempsey**. Yes. The Governors Conference adopted them, as we said, in February 1983, and each of the Governors has that package, and I presume each is working on it.

I know in our State I am a member of the education commission that Governor Graham created. And it is working very effectively. That's just one aspect of the program.

Mr. **Gilman**. We have passed a measure to create a law enforcement drug coordinator's office.

Mr. **Robert Dempsey**. Yes.

Mr. **Gilman**. Do you think that that kind of a proposal would be of help to the national effort?

Mr. **Robert Dempsey**. Well, I know that that's a heated political issue, and I hate to get in the middle of it. But I have never been reticent to speak my mind.

Mr. **Gilman**. We're all in the middle of all kinds of issues.

Mr. **Robert Dempsey**. OK. I think you need central coordination of the entire activity, with absolute authority. I don't think you need the kind of turfism that goes on.

And you know, it may seem very mundane, but it goes to the level of who is going to get the credit for this arrest or this seizure, who is going to conduct the press release.

And when you're dealing with an elected sheriff or chief of police whose job is constantly on the line and you're dealing with a Federal agency that wants to make some good showing for their budget purpose and whatnot, this is an understandable consideration. And somebody has to kind of orchestrate that to see that credit is shared where it is appropriate and recognition is given, because it's a very real factor in the life of people who are engaged in the crime fight.

Mr. **Gilman**. We've often talked about the need for better strategy sessions, better strategy policy statements, and more attention to developing a domestic strategy and international strategy.

Now, you've been involved in drug enforcement for how many years?

Mr. **Robert Dempsey**. Well, I've been a policeman for over 33 years. I think that speaks for itself.

Mr. **Gilman**. Have you been called in to help provide any input on developing a national or a regional strategy?

Mr. **Robert Dempsey**. Except for the meetings that I had with the LECC's, with the three U.S. attorneys in our State, and the fact that when Lowell Jensen announced his 13th task force a couple of weeks ago in south Florida—I was invited to be there and the only State official there—we haven't had strategy sessions. And that's when I raised this concept: Why don't we set up a think tank? We've got so much brain power, so much high-level people with experience and knowledge. Let's sit down and brainstorm. Where are we dropping the ball?

If we've got all this effort going and all this money being spent, then why is cocaine so prevalent in our society, why is it being demanded, why can't we crack it down and close it down and shut it down.

And there's a good success story told by the Federal people about the Quaalude problem. They've, in effect, cut that off completely. And I think that the same kind of dedication—of course that was a limited area—the same kind of dedication that went into that might help in the cocaine area. But it needs a serious, fully involved commitment of everybody and putting a lot of things aside and saying let's get at this problem and handle it in almost militaristic manner, where we strategize an entire program against drugs.

Mr. GILMAN. Well, again, we want to thank you for your very constructive proposals, your in-depth thinking, and we'd welcome, if you could send us, a few copies of your eight-point program.

Mr. ROBERT DEMPSEY. We'd be happy to send you that.

Mr. GILMAN. Thank you.

Mr. LOWE. Mr. Chairman, could I——

Mr. GILMAN. I'm sorry.

Mr. Lowe, our counsel.

Mr. LOWE. Mr. Dempsey, did you attend a conference sometime last year on the use of the military in——

Mr. ROBERT DEMPSEY. Here in Washington; yes, I was here.

Mr. LOWE. And Governor——

Mr. ROBERT DEMPSEY. And I rattled some cages at that meeting, if you will recall.

Mr. LOWE. Yes, I recall you, because you were as candid and direct and forthright then as you are now.

I would like to ask you one thing. You expressed some definite opinions on the use of the military——

Mr. ROBERT DEMPSEY. Yes.

Mr. LOWE [continuing]. At that conference.

One thing we're, the committee, is trying to get a handle on here—which was borne out of a conference similar to this down in Florida—is do the State and local enforcement people see the enforcement responsibilities of the Federal effort, the various Federal agencies—do you see them differing from those of the State and local? And if so—or if not, should they be distinctive roles?

Mr. ROBERT DEMPSEY. Absolutely distinctive——

Mr. LOWE. In what——

Mr. ROBERT DEMPSEY [continuing]. Except in certain circumstances.

And let me lay it out as we've laid it out in the eight-point program. There is no question that the international problem, the eradication and interdiction belongs in the Federal sector, no question about that. We have no control over it.

Mr. LOWE. Including marijuana?

Mr. ROBERT DEMPSEY. Including—not domestic marijuana—we are handling that in our State. We're the only State in the Union that has used paraquat to spray marijuana, and we've handled it successfully.

We're doing our own eradication efforts. And thanks to some financial support from DEA, we can handle that with our State division and my department and the local sheriffs and chiefs of police.

So, domestic marijuana eradication, if you want to give us some more airplanes and whatnot, we'll take them, but we are doing an incredible job, I think, in that area. Some of the other States may have a larger problem, may need some additional assistance.

Now, I firmly believe that the Federal effort should be in the two basic areas that I spoke of and also in a multipurpose, high-level investigative area where the narcotics problem transcends State lines.

I will be very happy to handle anything within my State and work with the local law enforcement agencies in my State at things that are unique to the State and wholly within the State. Where the operation goes from Florida to Canada to New York to New Jersey, whatever, we'll work that jointly with Federal people if they want us to, and we'd be very happy—and we've done that on a case-by-case basis. But we think that basically, once it crosses State lines, becomes a Federal responsibility. The narcotics problem is a national problem.

And I am not saying that everything should be done by the Federal Government, they've got the money and the people. We will take our responsibility for the street operations, for the investigations and operations and organizations within the State and work on them diligently, and we will assist the Federal people where something originates in the State and goes elsewhere.

Mr. **Gilman**. Mr. Cusack, our chief of staff, has some comments.

Mr. **Cusack**. Commissioner, when you started out with your statement, you came down pretty hard and pretty loud and clear on the necessity, the absolute necessity to reduce demand.

Mr. **Robert Dempsey**. That's right.

Mr. **Cusack**. And of course, that's the message we get when we get off the airplane in the foreign narcotic producer countries.

Mr. **Robert Dempsey**. Yes.

Mr. **Cusack**. They tell us to reduce demand.

Mr. **Robert Dempsey**. Yes.

Mr. **Cusack**. However, as you went on with your statement, it became apparent, to me at least, that you feel while that is important—and, of course, it is—you still have to attack the supply abroad and you have to fight the illicit traffic and you have to do your best——

Mr. **Robert Dempsey**. That's right.

Mr. **Cusack** [continuing]. With interdiction.

And I just wanted to make a comment on demand, because to my ear, I thought it was getting just a little bit more emphasis than the other elements. And I would like to say it's an orchestra. And if the orchestra is not playing together—it's all got to play together or we're probably not going to be successful.

Mr. **Robert Dempsey**. You're absolutely right; this is a coordinated effort at eight points. It is not one getting greater priority than the other; but let's start and work on the demand, because that's a generation away. We're not going to cut it off tomorrow.

It just permeates our society, and we've got to start doing something about it.

But you're absolutely right, every one of these efforts have to be maintained on a full-force level, continuously.

Mr. **Cusack**. The other point I wanted to make, is that supply has been the deadly enemy in the last decade.

Mr. **Robert Dempsey**. Yes.

Mr. **Cusack**. Because we have never ever seen supply, in the history of drug control, as we have seen it.

Mr. **Robert Dempsey**. That's correct.

Mr. **Cusack**. Of course, the other factor is, in the 75 years of control, the only time we can demonstrate success, for a few years, for many years, for a decade, whatever, has been our ability to reduce supply, or something like World War II came along which cut it out totally for almost 4 years.

Now, we who advocate going after supply, which is difficult, sometimes, have a difficult time in impressing people that it does work.

But here again in 1983-84 you find out that it did work dramatically with Quaaludes or methaqualone.

In the past few years, applying the standard procedures of international narcotics control, reaching out to the countries and having them do what they should do and doing it, we've cut the supply of that drug dramatically.

The other encouraging thing there—and we need a little encouragement in this business—is that even a country as remote as China—the so-called Bamboo Curtain—they did cooperate. And through their cooperation, the cooperation of some Western European countries, and an Eastern bloc country like Hungary, the heavy availability of methaqualone has been brought under control.

So, I think it's a hopeful sign, and I think it points out to us that, once again, if you cut off the supply, you will not only reduce the problem, but you will pretty well tamper down demand. And——

Mr. **Robert Dempsey**. Mr. Cusack, I agree with basically what you're saying. However, be careful of the concept of displacement. When you cut off the supply of one, you'll see an upsurge in the use of another if you still have a demand for illicit drugs.

Mr. **Cusack**. There's a term that they use at international control; it's called the "universality of control."

Mr. **Robert Dempsey**. Yes.

Mr. **Cusack**. And that's why I think this administration has been very prudent in not calling one drug a priority. I think they've been wise in classifying all drugs that we have under control as priority.

Mr. **Robert Dempsey**. Let me just personalize something for you for just 1 minute.

When I was a kid on the streets of New York in the 1930's, the person who used drugs was the pariah in the neighborhood. We just felt that drugs were bad when I was a street kid in the slums. OK?

There was no demand, and there was no supply—very, very limited. There was a very limited use of drugs in this country. And it was because people did not seek out drugs for pleasure. There were other ways to enjoy themselves. And it was bad news—we took pride in running a "cokie" out of our neighborhood.

And I'd like to see that kind of concept among our kids in our schools, in our streets today, that the drug addict is not going to hang around the playground, they're going to run them off.

Mr. **Cusack**. That period of time in the city of New York came from the period of about 1931 to 1947.

Mr. **Robert Dempsey**. Yes.

Mr. **Cusack**. And that was worldwide——

Mr. **Robert Dempsey**. Yes.

Mr. **Cusack** [continuing]. Because the international system disarmed the pharmaceutical industry, which, up until that time, produced all the drugs used by drug addicts and abusers worldwide. And it denied the availability of cocaine almost totally.

You used a word which I used to hear when I was on the street in New York. A "cokie" was a drug user.

Mr. **Robert Dempsey**. Right.

Mr. **Cusack**. But they hadn't had cocaine in New York in years, and people used to laugh at it. They could say, "What cokie? There are not cokies now. There's no cocaine."

Mr. **Robert Dempsey**. Yes.

Mr. **Cusack**. "It's just junkies."

Mr. **Robert Dempsey**. Yes.

Mr. **Cusack**. "They use heroin."

But the point is that cocaine was practically unavailable worldwide from 1934 up until 1965, with few exceptions.

Mr. **Robert Dempsey**. But there wasn't a drug mentality among our young people.

Mr. **Cusack**. Well, I'd like to ask, Captain Schowengerdt, if you would comment on our military involvement.

There's been some comment made here. Perhaps you could just summarize where we are now with the military assistance.

This committee has done a great deal to open up the posse comitatus law that, in the past, prevented the military from being involved. And we're beginning to take some steps forward.

Captain, could you tell us a little bit about the status of our military involvement at the present time?

[Pause.]

Captain, maybe you might want to identify yourself for our folks out there.

Mr. **Schowengerdt**. My name is Capt. Nick Schowengerdt, and I'm the Director of the Vice President's National Narcotics Border Interdiction System's staff here in Washington. And we're the group that has been working particularly to gain the service of military resources in the drug interdiction fight around the Nation's borders.

Following up on the committee's efforts, successful efforts, to pass the clarifications to the Posse Comitatus Act which liberalized the intent of the Congress with respect to the posse comitatus law from the previous century, we've had remarkable success in obtaining and then applying the military resources to the drug interdiction problem.

The cooperation of the Department of Defense has been truly outstanding, in not only the willingness to provide the resources that we identify as being perhaps of use in drug interdiction, but also in working with us, because of their far greater knowledge of their resources and their capabilities, to find new ways to use their resources in the war on drugs.

The military services have provided people to NNBIS centers all around the Nation. There are 36 active-duty military in our six regional offices around the country, plus two additional active-duty military on my staff here in Washington.

The Navy—just to give you some examples of how the resources are used, the Navy has been working with the Coast Guard now for over a year—an extensive program of utilization of Navy floating assets with Coast Guard enforcement officers on board, so that you extend the Coast Guard's statutory enforcement authority through the use of additional floating resources into areas that the Coast Guard might not otherwise be able to reach because of their limited resources.

The Navy, Army, and Air Force have all provided aircraft, surveillance assets, to the system. The Army has provided ground-based radar systems, as has the Air Force. The Air Force and the Navy have both provided airborne radar surveillance systems. There are a number of ways these assets have been used, can be used, and will continue to be used.

So, in sum, Mr. Chairman, the cooperation is outstanding. We have seen, I think, over time, a continued increase each month in the overall level of Defense assets involved, and I look for that to continue in the future.

Mr. **Cusack**. While Captain Schowengerdt is here at the mike, do any of you have any questions of Captain Schowengerdt about our military involvement?

[No response.]

If not, I'm going to ask our Minority Chief of Staff, Mr. Brown, who has a question, I think, of Mr. Dempsey.

Mr. Dempsey, right from the rear back there, if you could respond.

Mr. **Brown**. Thank you, Mr. Chairman.

Mr. Dempsey, you mentioned the eight-point program that was adopted by the Governors Conference and sent to the Governors.

My question is this: What, if anything, is being done or has been done to implement this program?

Mr. **Robert Dempsey**. Well, I would have to go to each of the States to find out what the Governors have done with that program. It was adopted by the National Governors Conference and I assume each Governor had the option of accepting the eight points or any portion of them that they felt that—I can tell you what happened in Florida. I don't know what's happened in the other States.

Mr. **Brown**. Does the Governors Conference have a mechanism to implement or to coordinate the eight-point program?

Mr. **Robert Dempsey**. I believe that the Governors Conference would probably have a followup through a committee of some kind or other to find out how the States were doing with the eight-point program. But I cannot speak to that. I don't attend the Governors Conference, except——

Mr. **Brown**. So, you don't know if the Governors Conference has a coordinating committee that would implement this proposal?

Mr. **Robert Dempsey**. That would have to be addressed at the National Governors Association.

Mr. **Brown**. Thank you.

Mr. **Gilman**. Are there any other questions of Mr. Dempsey?

[No response.]

Mr. **Gilman**. Mr. Dempsey, I want to thank you for your extensive testimony and the pertinent issues that you've raised.

And thank you, Captain Schowengerdt, for your review of the military involvement.

We've had a request.

Would the Fort Worth participants just raise your hands so that one of the news personnel can contact you later on?

Fort Worth participants, can you please raise your hand?

Anyone here representing Fort Worth?

Mr. GILMAN. [Pause.]

All right. [Laughter.]

I guess that's why they're having trouble finding you.

The next speaker, please.

Who would like to be our next speaker?

Incidentally, we intend to break for lunch at 1 o'clock, and then we'll continue after lunch.

Yes, sir.

Mr. CLINKENBEARD. Thank you, Mr. Chairman, members of the committee.

I'm Lt. Bob Clinkenbeard with the Nebraska State Patrol. I welcome this opportunity to come before the committee, and I concur with the things that my colleagues have brought out.

And in the essence of time, I won't go back over some of these things.

We are a member of the National State Drug Enforcement Alliance. I am also a representative for the Law Enforcement Intelligence Unit for the Nebraska State Patrol. And I am the board chairman, representative for the State of Nebraska, for the Mid-States Organized Crime Information Center.

And I am sure that you are aware of the RISK projects.

And while we're on that, I think this would be an excellent vehicle by which we are talking about in our regional intelligence-gathering circles. We provide this service to the nine States in the North Central part of the United States, from North Dakota to Missouri, and from Nebraska to Illinois. And this is an area you could utilize this intelligence which would be put in.

There are, I believe, six of these projects in the United States, from WSIN to NESPAC, which is the New England States. And this would be a very good vehicle for that.

This was just my idea for you to try and help us.

The other thing that I would like to bring out, in the area of helping us, is that we do need, in our LECC's—and Nebraska has a very active one—through the Mountain States, out of Denver, there were several millions of dollars that were supposedly available. When that money became available, nobody knew how to get it. Now that they know how to get it, it's so restrictive that we can hardly use it.

We—there again, turf battles, if we want money, we go to DEA. If we want manpower, we go to the Bureau. If we wanted to get the job done, we'd go to Customs, who, I think, have been left out of this—not inadvertently, but you would think perhaps somebody so far removed from our borders as the State of Nebraska would not utilize Customs. But we have in the past and have found them very cooperative.

But I think that these, then, in the Law Enforcement Coordinating Committees, we need also better access to intelligence information, and we realize, of course, that the Internal Revenue Service has certain restraints put on them that nobody else has. However, through your efforts, we could possibly become better accessed to

6E information—that is, grand jury information, under a particular investigation.

If we are all going to be investigating these types of crimes in the drug area, we do need access to this information. And in some areas it is better given out than in others.

We have access to some, but I feel that some legislation from the Federal level could assist us in this area. And I'm sure that all my colleagues will agree with me in this area.

Another thing that we find difficult to deal with is that in our cooperative measures communications are very important. And when we have a task force operation going with several agencies involved, we don't have the proper radio communications, and this does seem to be a problem for us. I don't know if this exists in other areas, but we all have our different radio frequencies, and we are unable to communicate. There has got to be somebody with a central radio system that we can utilize so that we can properly conduct our investigations.

Mr. GILMAN. I appreciate your comments.

Mr. Monastero, we've heard the radio communication problem before. Would you want to comment on that for us?

Mr. MONASTERO. Mr. Chairman, I think that that's an identified problem even at the Federal level. Some things are being worked on to correct it, but I think that problem is one that needs to be addressed, especially where we're working with State agencies, and probably they have the same problem when they're working with each other.

So, I think that deserves some attention.

Mr. GILMAN. And what about the need for better access to the Federal centers by the State agencies?

Is there a limitation now on what they can gather in there?

Mr. MONASTERO. Well, there is a limitation with respect to grand jury information. Where an agency is participating directly, they can be put on the list of people to access. That can be done through the judge who is controlling the grand jury.

But other than that, I think, where agencies are working together, at least from a DEA standpoint, it is difficult.

[Pause.]

Mr. LOWE. Very often, those high-level dealers don't necessarily cross State lines particularly, so that there would be a clear need for a Federal effort in that regard.

Sometimes if your high-level effort is directed at one person, the State authorities or the city authorities could be trying to get to that same person or group.

Is there—do you see a clearly distinct——

In the best of all worlds, how would you like to see the State and city enforcement people proceed, as opposed to how you would like to see the Federal people proceed?

Either one of you.

[Pause.]

Mr. MONASTERO. I think that, no question about it, there is a distinction that should be made that we should stick with.

I think that most of the speakers this morning described that, and just as well as I could do it.

Clearly, drug activities are international in scope. Most drug activities are international in scope. The preponderance of what we see on the street, certainly cocaine, most marijuana, heroin, all are international in scope.

Somebody has to have the responsibility to go into the foreign country and work with the host governments to not only induce them to eradicate, to create crop substitution plans, if that will work in a particular area, but to work with the local enforcement people there in that country to interdict, to construct their own criminal investigations which will bring people to trial in that country. That's our job.

In addition to that, we have to take the intelligence which is derived from those investigations and that activity and transmit it to the United States, where it can be used here in our domestic investigations at an interstate level, because where you have international traffickers, they're not going to be discriminatory as to what State they're going to go to. They may go to major input or import points in the country. So, clearly, that is a part of our job.

There is a place where you have to meet halfway, so to speak, where the local department is dealing with street-level activity and they're also dealing with midlevel traffickers. And there, at that point, we have to be able to share the information that we have. And I'm not implying that departments don't make major cases. Local departments certainly do make major cases. But they can make better major cases if we share the intelligence we have with respect to international traffickers.

And I think New York is a premiere example of where that is done and done extremely well. In New York, you have the Unified Intelligence Division, which is manned by people from DEA, the State Police, and the New York City Police.

There all information is shared. Each of the agencies has access to all of that information and, where appropriate, it goes either to a Federal investigation or to a joint investigation, which is especially manned—you know, put together—and as a matter of fact, the gentleman at my left and I have participated in a few of those when we were in New York—or it goes into the task force, where it probably is a midlevel trafficker case, or it goes directly to Inspector Reuther's unit, where they take that and make a local case out of it.

Mr. LOWE. Frank, let me interrupt you and ask a "gloves-off" question; OK?

You mentioned in terms of they could make better cases if they receive the kind of intelligence that's possessed by the Federals. It has been said, on more than one occasion, that one of the reasons that the Federal enforcement authorities don't share, if they don't, the intelligence that they have with the State and locals is because, quite frankly, they don't trust them. They don't trust the giving out of this information for any number of reasons. Some people may not be trusted; some people may be on the take, if you will; or some people aren't—some local enforcement agencies aren't as capable to handle this kind of intelligence.

To what extent do you believe that? And to what extent does that hamper their efforts?

Mr. MONASTERO. I don't think that that's an endemic problem.

We, as everybody knows, have had people get into trouble, have had integrity problems. I don't think there's a department in this room that can stand up and say they have never had an integrity problem.

Mr. **Lowe**. No, but is that an impediment to the sharing of——

Mr. **Monastero**. Absolutely, it's an impediment to the sharing of investigation. If there is a lack of trust between agencies, it's clearly an impediment to a sharing of information.

But let me take the example of New York City, which you are referring to.

In New York City, a New York City police officer can go in and access directly the DEA NADDIS system, can get access to any record in the Drug Enforcement Administration worldwide.

Now, there's certainly an example of trust there.

I don't think that that problem should be brought up as an endemic problem. It is a problem between people. I think Commissioner Dempsey said it and several other people have said it. We are people. There are people problems.

But I don't think it's systematic.

Mr. Leonard. Let me follow on that, as a New York cop—or former one.

I worked with Frank Monastero shortly after probably the most massive narcotics scandal in the history of this country hit the New York City Police Department. If the Feds shouldn't trust anyone, they shouldn't have trusted me and my men. But I was able to establish my trustworthiness and their confidence in me and the men working for me.

And I will tell you, Frank, John Fallon, and Jim Hunt up there never held back one iota of information. That's a people problem, as Frank said. But, you know, if you're a good cop or a good investigator and you can't find somebody that you can trust, you don't belong in this business.

Mr. **Rangel** [presiding]. Well, do we have other participants?

I don't know—do we have an hour-and-a-half break?

Everyone is for an hour-and-a-half break?

[Pause.]

OK. Listen, let me thank you. We hope that we can get you to come back at 2:30, and then we'll resume our conference.

Thank you very much.

[Whereupon, at 1 p.m., the conference was recessed, to resume at 2:30 p.m., this same day, Tuesday, September 18, 1984.]

AFTERNOON SESSION

Mr. **Akaka** [presiding]. As soon as we're settled in, we'll continue the conference.

[Pause.]

At this time we will distribute to you copies of recommendations that we want you to take the time to study. And after about an hour, we'll ask for some response from you on the recommendations.

I understand that discussions that have been held this morning have been considered successful. I would want to continue with that. I understand there are others who want to speak and have not had the opportunity to do that.

So, I'd like to open it up again, ask you to come up to the microphone to say your piece. We have the gentlemen from the agencies here that will be able to respond, and we'll have some discussion here in that manner.

Mr. LOWE. Mr. Chairman, may I make an observation?

Mr. AKAKA. One thing we want to encourage the participants to do is that if you have a direct question, for example, that you would like to pose to the representatives of the Federal agencies, feel free to do so. You don't just simply have to come up to the microphone to make an observation in terms of the basic purpose of the conference. But you can ask a direct question so that the Federal representatives could respond directly, if you feel free to do so.

That's fine.

May I also ask you, when you rise, to give your name and where you're from.

Also, watch the recorder. If she wants to hear you more clearly, she'll indicate that.

[Pause.]

Mr. PAGANO. Mr. Akaka, Colonel Pagano, the superintendent of the New Jersey State Police.

This morning there were several references made to the sharing of information and references made, obviously, to the sharing this afternoon of resources.

One of the basic concerns raised this morning deal with the cooperation between agencies.

I can honestly say that in best terms, in New Jersey, we have a workable situation. We have problems from time to time. But as Bob Dempsey said, they are generally people problems; they're not organizational nor do we have anything that we consider to be a major integrity problem.

But there is one problem. It seems the language here in the Congress, it stands as a major obstacle between cooperation, or in the cooperation area between local, State, and Federal people. And I speak in terms of the longstanding amendments that we have been seeking in the Freedom of Information Act.

And very simply put, when an agency such as mine gives information that we receive from reliable sources and from our files, to a Federal agency, we've got to be very cautious as to how we present that information, because we're in a different strata, organizationally and legally, when it comes to the issue of freedom of information.

And we've had major happenings in New Jersey, some of which have been reported to the Congress, happenings that have involved pubic safety, happenings that have involved the safety of our own officers.

And we are not satisfied—we are not satisfied at all with the implications of the Freedom of Information Act. We're very, very anxious to see some change from the Congress along those lines.

Mr. AKAKA. Thank you very much, Colonel Pagano.

Is there any response from any of the agency folks?

[Pause.]

Mr. Monastero. Congressman, I'd just like to echo Colonel Pagano's statement. I think that this issue should be addressed, it does give us problems. We've testified on many occasions about the fact that most of the information going out under the Freedom of Information Act is going to convicted criminals, many of our subjects, most of whom are in prison.

And I can't think of one case, one single case, in which information guarded under the Freedom of Information Act has supported a case of wrongful imprisonment.

So, I just—I completely support the colonel's remarks.

Mr. Akaka. Thank you very much, Colonel Pagano.

Are there any others?

[Pause.]

Mr. James Dempsey. My name is Sgt. James Dempsey. I'm with the Columbus, OH, Police Department.

I, first of all, would like to thank you for allowing us to come forward to say the things that we're saying about the Government today.

We have committed an awful lot of our resources at our local level. We have, out of a 1,200-man police department—we have committed 42 to 50 police officers in drug enforcement. We have started the first State unit to do diversion enforcement. And we recently started our own narcotics intelligence network because we realized that there were problems in these particular areas.

Now, we want you to do something to help us at the State and the Federal level. We want you to create some agency or some area where we can obtain narcotics intelligence that will assist us in our local enforcement endeavors.

We recently completed a case wherein we got, for the Government, out of our investigations, in excess of $500,000 in seized assets and cars and houses and property and in cash. And this is not the only—not an isolated incident. We do this on a regular basis. And we're having problems. Our average car has in excess of 80,000 miles on it and is breaking down constantly. Radio problems are a constant issue with us.

We are not here seeking so much that kind of equipment, but we do expect to get something back for our efforts. We are especially in need of intelligence sharing. We have good cooperative efforts with the DEA and with our FBI agents, with Customs, and with other agencies on a personal basis only.

If you'll check our intelligence files, there is not one documented paper coming from the Federal Government. There are numerous pieces of paper, intelligence, coming from agencies, local agencies, who are concerned with our efforts and who continually help one another locally. But when a national crime figure moves into our area and the Federal Government is aware of his transfer into our area, I would expect—I would almost demand that somebody who is aware of his movements to contact the local agency to let them know what is moving in so that we can be aware and so that we can take more enforcement efforts to eradicate this source from our area.

We are, also, having problems with heroin enforcement. We're finding an increase of it, both white and brown heroin.

One of our biggest problems that we're facing right now is in the area of diversion. We're finding that the doctors whom we take off of our streets are simply moving their licenses to another State. I'm talking about one doctor putting out hundreds of thousands of pills into the streets. We take his license and he moves to Pennsylvania, or he moves to Michigan—no problem. The only thing that's checked when he moves is his educational background. If he's a pharmacist, the same problem.

We want some assistance to take care of these types of people. We don't want them practicing in your area simply because we ran them out of ours.

We notify those agencies. We send letters to the people involved. We, on the local level, are taking care of one another. We're trying to assist one another. We need some assistance on a national level.

That's all I have.

Thank you.

Mr. **Rangel** [presiding]. Let me ask, before you leave, with the exception of intelligence, if the Feds—if the administration was to ask you specifically what type of assistance would you need, would it be in the hardware and equipment or—I mean, outside of the access to intelligence information?

Mr. **James Dempsey**. I guess our biggest need is in the area of vehicles.

In the case of when we do drug—at the task force, the type things that we need assistance in the overtime areas, in which we're getting it when we do our task force cases.

Mr. **Rangel**. And I suppose you wouldn't mind showing, you know, how much of your regular police force is being actually diverted for narcotics use in order to show that you would need this special type of support?

Mr. **James Dempsey**. Yes, sir, we have, as I said, 42 to 50 people. We have, at this time, 22 cars, 5 of which at any time are broken down because of the excess mileage.

We have seized three or four very excellent vehicles, but we don't have the capabilities of seizing them unless there is no lien on them. And most cars that don't have a lien on them are not worth driving anyway. But——

Mr. **Rangel**. Do you participate with the alliance?

Mr. **James Dempsey**. Not as an individual, no, sir.

I believe that our State agency does.

Mr. **Rangel**. OK. It sounds like I'm a booster for the alliance, but what I'm trying to do is to make certain there's some continuity to what we're doing. We don't want to have you coming down to Washington today and that's it. We do want to keep this up. And we don't even want you to come to Washington, for fear that some of the people that appoint you might think you're meddling.

But if you already have your own agency, then we just want to make certain we work with that group that you people have put together and that you feel comfortable with, so that if you personally don't do it, it would help us if you could say that someone from Columbus will be representing your interests there. And we'll work closely with them.

Mr. **James Dempsey**. We were glad that——

Mr. **RANGEL**. If there's somebody that has a better idea that's out there, we'll listen to that, too.

Mr. **JAMES DEMPSEY**. It also gave us the opportunity to talk to our Senators about this compassionate relief bill, too. So——

Mr. **RANGEL**. That's very helpful.

As most of you know, it's coming on the floor this afternoon. And I just learned that one of our colleagues, Bill Hughes, is going to try to amend it. And even though the amendment would restrict the use of heroin from a political point of view—we don't know whether we even want the amendment, because it makes it sound like a better bill; but he would require three doctors before heroin is used, he would increase the penalty if it is abused—and what else is involved?

Yes, that he would do.

So, I just give you that as a point of information on——

Mr. **JAMES DEMPSEY**. But, as closing——

Mr. **RANGEL** [continuing]. What is going on out there.

Mr. **JAMES DEMPSEY** [continuing]. I would just like to say that we are in dire need of some assistance in the area of those vehicles and equipment.

And if it's necessary for the DEA to put it on a statewide availability, we deal with people—we're in the Detroit area where we have to deal with—sometimes with people out of Cleveland, sometimes with people out of Cincinnati.

Mr. **RANGEL**. Well, when you seize a vehicle, you just turn it over to the Federal Government; is that it?

Mr. **JAMES DEMPSEY**. If there's a lien on it, they come in and take it; yes, sir.

Mr. **RANGEL**. Then, don't you request them to get it back to you some kind of way?

I mean, you request it, don't you?

Mr. **JAMES DEMPSEY**. Well, if——

Mr. **RANGEL**. No?

Mr. **JAMES DEMPSEY**. You file a——

Mr. **LEONARD**. It's the GSA—the GSA is the hangup.

And second, if there's a lien on it, it's almost impossible to forfeit it in the courts, Mr. Rangel.

I'm not even sure if the $100,000 administrative forfeiture goes through that a vehicle or a vessel with a lien on it can be forfeited.

Can it, George.

Mr. **GILBERT**. Well, you can pay off——

Mr. **LEONARD**. Well, you can pay off the lien. But GSA's regulations are very stringent—you know—and sometimes they'll turn you gray, but they're there, and somebody has to address it.

Mr. **RANGEL**. Well, how could we—Jack is trying to see whether we can——

Mr. **CUSACK**. Well, you know, one way this has been overcome, where, with some facility, you can have vehicles available to State and local narcotics control authorities, is through the task force mechanism.

Mr. **JAMES DEMPSEY**. If you call 3 days ahead of time, they might get it down to you.

Mr. **Cusack**. Well, no. I think the task force mechanism means that it's a permanent ongoing task force mechanism—and if the program calls for continuing and permanent support.

Mr. **Leonard**. Jack, that would be fine, except while you're doing that, you're ignoring the real problem, the fact that there's hundreds of cars and hundreds of boats sitting in impound lots and at piers, rotting.

Mr. **Cusack**. Yes.

Mr. **Leonard**. And you ought to address that.

Mr. **Cusack**. Well, the new forfeiture bill does that—it was passed last week. It raises the administrative forfeiture ceiling to $100,000.

Mr. **Leonard**. It's no problem.

Mr. **Cusack**. Yes, we'll see.

Mr. **Leonard**. It passed the House.

Mr. **James Dempsey**. Thank you, sir.

Mr. **Akaka**. Thank you very much, gentlemen.

Mr. **Rangel**. Just let's see whether we can explore this a little further.

When Federal agents took a car after a narcotics arrest—I don't know whether they changed the law, but some of the agents used to make certain that the guy was driving a pretty new car before they busted him, because they not only kept the car, but the agent got the car—to use. Now, have they changed that?

Mr. **Monastero**. The system through which we seize vehicles is the same as it has been for many years.

When a vehicle is seized, there is a process—there is either an administrative process or a judicial process, depending on the value of the car. The car is put in storage, it is advertised.

If there is a lien on it, the lienholder has an opportunity to get the car back. If there is a lien on it, we have to show complicity on the part of the lienholder or else the car goes back anyway.

Once the car is forfeited to the Federal Government, if it is a Federal forfeiture, under our statute, it would normally go to the district where the car was seized, instead of saying take a car to New York and driving it to Miami to be used, it would normally be used in New York.

Mr. **Rangel**. OK. What I was saying, where the entire operation was a State operation and the car was seized.

Mr. **Monastero**. If the State has the ability to forfeit that car, we would certainly—you know, in a joint case, arrangements are usually made beforehand, and we would step back if they said they could use that car.

But many States do not have that ability.

Mr. **Rangel**. What cooperation would you need if—forgetting the $500,000 case, because—but if you did knock off an airplane or a boat or a car and you did it by yourself, will you have any problem with the lien in keeping that property?

Mr. **James Dempsey**. Yes.

Mr. **Rangel**. What would you have to do?

Mr. **James Dempsey**. By current State law—we are attempting to change our current State law to go in line with the Federal law of forfeiture, but if there is a lien, we just simply have to call—we call in our Federal people——

Mr. Rangel. What you are talking about is where you turn the case over to the Federal Government, then you——

Mr. James Dempsey. They took it.

Mr. Rangel [continuing]. Would want them, after they have exercised the power they have, to turn the vehicle or whatever they had back over to the State; is that basically it?

Mr. James Dempsey. Yes, sir. That's it.

Mr. Rangel. And you don't normally do that. You return it to the region——

Mr. Leonard. No.

Mr. Rangel. What do you do?

Mr. Leonard. Usually it's the arresting or seizing agency that gets first shot at it. And then other Federal agencies get a shot at it. And if nobody within the Federal structure wants it, Mr. Rangel, it goes on auction.

Mr. Rangel. But they say——

Mr. Leonard. That's the problem.

Mr. Rangel [continuing]. It's a State case——

Mr. Leonard. It's a Federal seizure. That's the problem.

Mr. Monastero. For instance, in Florida, as Commissioner Dempsey stated, they have a forfeiture statute. In those cases where we have a joint case, those things are worked out beforehand. They may well forfeit that car to the State, rather than to the Federal Government.

In Ohio, I believe, if I'm correct, you don't have a forfeiture statute of that kind.

Mr. James Dempsey. That's true.

Mr. Rangel. Anyway, I've been advised by counsel that we have just passed a comprehensive bill last week that relates to this area which would allow the Federal Government, where there's been State participation in the Federal case, to turn back the car over to the State.

So, we have passed it. We're waiting for the Senate. But these are the types of things that you should take a look at back home and with your groups. And I don't care what it costs you, you've got to give us your advice as to whether or not it makes sense, because you just can't have us down here legislating, believing we're doing the right thing by your groups, and then to find out that you're restricted as to whether or not the darn thing is feasible.

Mr. James Dempsey. The same follows in the area of equipment, chairman. We know that the equipment is available through the Feds; we know that they have it. But sometimes they have to go to Chicago to get that particular device, where I think that if more funds were allocated to the DEA so that each DEA district would have that equipment available—or a pool for us—it would be very much of a help, you know.

Mr. Rangel. Well, I have to really serve as a lobbyist to your group, because you can't word it that way. You just have to say that the Federal Government would have these resources available for you, you see, because when the President, any President, appoints the head of the DEA, then he has to go by the budget which the President supports.

And so we have many people testifying in front of us with tears in their eyes, saying that, yes, they support the cut, that they can do the best with what they've got, and more money doesn't mean a more effective job. And they cry all the way out of here. And we go and read between the lines and restore some of those cuts, and they can't even come back and say, "Thanks," because they have to support the point of authority. We understand that.

But if you are able to tell us, as a Congress, what type of services you believe your Government should have available for you, I am certain that the line agencies, once the legislation and appropriations are passed, would be only too glad to make these resources available to you if they had it.

Mr. **James Dempsey**. Mr. Chairman, I need intelligence.

Mr. **Rangel**. Well, that is something that, no matter where we go, we constantly hear that as one of the most important obstacles, if we could overcome, that would be an important, effective law enforcement tool.

Mr. **James Dempsey**. We will continue to put people in jail, but we would do it a lot better and a lot more effectively, I think.

Mr. **Rangel**. Well, this committee will be concentrating to see how we can improve those lines of communication.

Mr. **James Dempsey**. Thank you, sir.

Mr. **Rangel**. Thank you.

Mr. **Akaka**. Thank you very much.

Are there any others with statements or comments to make?

[No response.]

Mr. **Rangel**. Let's see whether we can—then, see whether we can reach any general conclusions here. Maybe we can then ask you to think of some recommendations now as to whether or not we should think about continuing this group.

We're going to feel free to use this mailing list to let you know what we're doing as relates to legislation, and you can comment on that or have the appropriate corporation officer, whomever, comment for you.

This alliance thing that we've been talking about, could I get, by a show of hands, whether or not trying to improve the relationship between the select committee and the alliance, whether that would make sense for you out there?

All in favor of improving that, put up your hands.

[A show of hands.]

Mr. **Rangel**. Well, that's great. That's great.

And if you had a better idea, you would know that this would be the time to come forward with it.

If we maintain the communication with the alliance, would you think there's any need at all for this group to continue in terms of coming to Washington?

Those who think that there would be any merit in this if we establish a better working relationship with the alliance, would you put up your hand?

[A show of hands.]

Mr. **Rangel**. That's good. It makes our job easier, and it makes certain that it keeps you out of the Nation's Capital and out of our hair, so that we'll be able to just work with law enforcement and the legislation.

Are there any other things, Jack, that we should be talking about before we adjourn?

[Pause.]

Mr. RANGEL. The staff has been working—and I have to live with the staff long after you people go back home, so——

They have asked whether you would consider a recommendation that a coordinating committee of Federal, State and local drug enforcement officials be formed in each State to enhance cooperation in narcotics enforcement.

And these committees should meet on a regular basis, to exchange information, identify problems, and develop cooperative solutions.

Is this something that you could take back home and work on, with our support?

Suppose someone could comment on that.

It sounds as—the problem, I think, Jack—the problem they have is that these people are appointed as police chiefs and in charge of State organizations.

And assuming that they did want to belong to a State committee that would meet on a regular basis to see what the situation is, the first one that volunteers to do the job they're going to think is running for mayor.

Mr. CUSACK. Well, they're not volunteering. In other words——

Mr. RANGEL. Who would do it?

Mr. CUSACK. If they recommend that a body of experts, that their State will do it, their Governor will do it, or——

Mr. RANGEL. OK.

Could I see, by a show of hands, how many of you believe that you would want to be a part of a State, Federal, local drug enforcement committee to be organized in your State?

Would you think that would be able to help you if we were able, through your Governors and Senators, to get this type of thing going? Would that be helpful to you?

All who say that would be helpful, put up your hands.

[A show of hands.]

Mr. RANGEL. OK. Now, those who believe that this type of thing would not help you, would you volunteer as to why you think this would not work out?

Mr. CLINKENBEARD. Well, I'm not saying that it won't work, but we already have our LECC.

And I see this just duplicating those efforts.

Mr. RANGEL. In your State?

Mr. CLINKENBEARD. Nebraska, yes.

Mr. RANGEL. Nebraska.

Well, how many of you come from States that already have this type of cooperation with the Federal and local and State law enforcement officials?

[A show of hands.]

Mr. RANGEL. Very good. Very good.

So, staff, you're right on target.

Now, how would we know where we can encourage the formation of these in States that didn't have them? We'll charge the alliance with doing that.

VOICE. But all States have an alliance of their own.

Mr. RANGEL. Let me ask the lieutenant——

Mr. ROBINSON. May I comment about the LECC?

Mr. **Rangel**. Sure.

Mr. **Robinson**. There is a great diversity as far as attitude about those coordinating committees. They are within the realm of the U.S. attorneys, and they're the ones that are charged with coordinating those committees throughout the Nation.

Some of those committees meet once every—have met twice since their inception. And the first one I was invited to, it was—they'd like to have you participate if you bring 40 cents to cover the cost of the coffee and the doughnut. So, there isn't any money or any incentive.

In Michigan, there are two, one in the eastern and one in the western portions of the State, and neither has met more than twice. And I think that's the frustration that many people here feel.

Mr. **Rangel**. Well, we had a pretty negative review from Florida. How could—what could we do, Jack? Could we write the Senators and to indicate that we'd like——

Mr. **Cusack**. The thrust of that recommendation is that, in every State, if States have such a body, they don't need it. But we were recommending, from what we heard in other conferences, that there appears to be a need for some form of a committee, a coordinating committee, to ensure that the Federal, State, and local people are pulling together and coordinating and that they have the support of their Governors, their mayors, and their Federal Government in getting the job done. That's the idea of the committee; that's all.

Mr. **Rangel**. Yes, sir.

Please, no protocol. Just come up and say what you have to say.

Mr. **Wheeler**. Mr. Chairman, I'm from Rhode Island. My name is Lieutenant Wheeler. I'm the Commander of Detectives.

It's a small State. I just wanted to throw this out for the other people present. We have an excellent working relationship with Mr. Greenleaf from the Bureau, Mr. Stabner from DEA, Mr. Connors from Customs and, of course, the Coast Guard, also, we find, just going person to person.

And we have a U.S. attorney in Rhode Island and an attorney general, like most States do. And they really have regular meetings concerning specific targets and so forth.

Maybe it's because of the size of our State, but as it works right now in Rhode Island anyway, we feel we have a good working relationship.

Mr. **Rangel**. That's good.

Anyone else want to comment on——

Mr. **Sande**. Yes; Doug Sande—I'm head of the State drug enforcement in North Dakota.

Just a couple of points here: First of all, that LECC is complicated. In our State, it meets, it's very social, we have coffee, speakers, but we are not inviting the local police officers, drug enforcement. It's only the State investigators and the Federal investigator, and it is a very effective meeting for that. The U.S. attorney just tells the Federal agents they've got to be there, and they're there, and we show up.

But we also have State associations. I think there are several States in the country that have State Drug Enforcement Officers

Associations; and that's where, in our State, the local police officers have their input into policy.

One other thing I'd like to just say, I had to compliment, first of all, DEA for EPIC. There's no way—and we haven't really had a chance to pat EPIC on the back—there's no other intelligence agency—it probably was a first for Federal Government to allow States access into EPIC, whether it be by telephone at 4 in the morning and that it's just absolutely fantastic, especially for smaller States like ourself that don't have the capability of contact like other—or intelligence divisions.

Another thing is we, as State investigators—directors—I just came from the same thing in my State, what's called the Sheriff's meeting. They take the State drug agents' director and put him up there and say, "Where are you? We need you. Why don't you send us to California and follow a defendant around? Why don't you give us your State cars when you're done with them? Why don't you give us some of your buy money?"

So, I'm looking here at Frank and—and I think that we approached this meeting well, we're not here to have—we have DEA and the FBI up here, but they were here as part of the discussion, and I was happy to see that.

And then the last thing is that I was a former LEAA planner in our State. And I know this grant thing, under this House bill, is going to work. I think—I can just see—you know, the LEAA was an excellent program. Some of the things caught the eye of the press. But basically, if you give my little county sheriff in one of our rural counties in North Dakota $1,500 and he's going to really have some money in his hands.

Thank you, sir.

Mr. RANGEL. Thank you.

Well, I don't know where to leave this, because some of these statewide organizations are working, others are not. And again, we want to avoid meddling. But we want you to know that for those of you that represent States that you believe the select committee can be of assistance, please don't hesitate to drop us a note, and we'll talk with the State Representatives and the Senators to see whether or not they could be helpful.

Sir?

Mr. CLINKENBEARD. I think it's the same problem with the eight-point program that the gentleman from Florida brought up. You know, if your Governor doesn't go back and implement it, it's not very good.

I know the existence of it, but our Governor doesn't appear to be that interested in it, other than asking my chief, "How's everything going," and "Fine," and that's it.

So, if he thinks we've got it under control—now, we've got some problems within the State, too, but if we could get some more pressure from up above to get those Governors——

Mr. RANGEL. Well——

Mr. CLINKENBEARD [continuing]. Push a little bit.

Mr. RANGEL. That's difficult to do for us. We can't get the pressures from above. But what we can do is get it from below. We work with your congressional delegations. And if, in the course of our conversations, our hearings, we find that there could be better coordination within the State, we share it with the Members. And they, in turn, if they believe it's a Governor that's involved or different mayors, they, in turn, could get in touch with the Governors to say they'd like to meet with them in order to see how they can be helpful in having better lines of communication.

But again, if it's not broke, we don't want to get involved in fixing it. We don't want to get involved with States that have good systems.

So, suppose, Jack, we just leave that one.

Mr. CUSACK. Yes.

Mr. RANGEL. The alliance can take another look at it. And if they come up with any ideas, good. If they don't, that's good, too.

On the other hand, those who would like to write the committee with any ideas or recommendations as to how we could be of assistance to you in getting better organized in the State, we'll take a look at it.

There's a recommendation that the coordinating committees establish and give high priority to exploring ways to share resources among Federal, State, and local enforcement agencies on an "as needed and available basis."

The conference would recommend that military and National Guard units within a State be involved in any discussions relating to resource sharing.

I think what I'll do is just read these.

There's another recommendation that "a high-level Federal narcotics coordinator" be assigned to work with these State groups and to coordinate it.

The advisory council, then, of course—there's some lobbying here, asking for support of our bill for the State and local narcotics control assistance.

Suppose we do this. Suppose we turn over the staff recommendations to the alliance and tell them that these are some of the things that we thought could be helpful, but we would ask you to take a look at it and make your own recommendations as to what you would want the Congress to do.

I'd like to point out, if staff would help me, the different States that are represented on the select committee, the different committees that are represented on the select committee.

And we're in a great position to reach out to the Congress to make certain that some of your collective needs, even though they vary from State to State and locality to locality, can be met.

And we're anxious to serve as a conduit between you and the Congress. And we have members from all over the country—but I think the most important thing that we have is that each of these members serve on one, two, or three committees with other Members of the Congress, and there is no question that we're in constant touch with Members that represent congressional districts or cities and towns that you're from.

And so, if you stay in touch with us, we're in a good position to share your views with your colleagues. And then when we have legislation on the floor, of course, which would mean that we have to appropriate more funds, and these funds are going to be in competition with needs of other constituent groups, then it means that we can count on the votes of your Congressmen and your Senators in order to make certain that we can pass the legislation.

So, I'm going to turn that one to the alliance. And I'd like to move toward closing by asking are there any recommendations that any of you have as to what the select committee could or should be doing before we hook up with the lieutenant from Michigan?

Yes, sir.

Mr. **Allsbrook**. Billy Allsbrook, Virginia State Police.

A couple of recommendations that have come to mind since the discussion began: The National Alliance of State Drug Enforcement Agencies has been trying for several years to get representation on the National Narcotics Intelligence Consumer Committee.

We feel that it's made up of Federal agencies that define what the drug problem is on a national basis. And as a result of the definition of the problem, in many cases it has affected the State and local agencies as a result of the way it's defined.

Maybe through representation of the National Alliance of State Drug Enforcement Agencies, State input could be placed at that level to assist in identifying the problems within the States, as well as assist planning strategy to address the problem.

In another area that I know is true in Virginia and I believe it to be true in my sister States, we feel that we need more training, DEA training, at both the State and local level; in addition to the general type training in the different types—areas of narcotics enforcement, the area of Customs training is also needed.

Here, I think, it's critical at this point, because Customs has a very, very capable training program for narcotics detector dogs. These dogs are proven to be one of the more effective weapons used in the area of narcotics enforcement.

If we do not at this time start to come up with a well-designed dog-training program, then State and local agencies will take off when it's wrong, come up with substandard training programs.

So, if one of the Federal agencies could assume leadership in this area and set the standards which Customs has already done, expand that training program to include more State and local agencies that would like to have dogs and handlers trained—I think this is a critical need.

Mr. **Rangel**. We can get the administration's support on that, can't we?

Put the White House down for "yes."

Mr. **Leonard**. Yes.

Mr. **Allsbrook**. Customs also acknowledged in the affirmative.

In the area of exchange of information, I assume that colleagues in the room will agree that it is extremely frustrating to us to know that a Federal grand jury is investigating cases in many instances—for example, in the State of Virginia, the first seven Presidential task force cases that were started, five of those were cases that we took to them.

These investigations are investigated jointly with us, but it usually ends up in the Federal grand jury. And while we are privileged to the testimony through the 6E, much information is received about crimes in the State of Virginia and much information is gathered about these crimes, but nothing is ever done with this information beyond what the U.S. attorney and the grand juries elect to do.

If some provision—I don't know if it would be through the criminal rules procedure or whether it would be through legislation—if this information involving State violations can be extracted from these grand jury proceedings and passed on to a responsible agency within State government that would be most responsible for seeing that this information was properly safeguarded and that proper action would be taken, it's——

Mr. Rangel. It's a rough one, isn't it?

Mr. Allsbrook. It really is, but it's a tremendous amount of duplication, because the information is already there about violations of State law, but nothing is ever done to see that it has gotten to the State.

Mr. Rangel. But that would really violate every rule of secrecy of the grand jury.

Yes, Jack.

Mr. Cusack. Is there any reason why, after—let us say you turn some information or investigation or witnesses over to the task force, the Federal task force, and they utilize the person before the grand jury and they come up with Federal indictments, and let us say that the U.S. attorney then came back to you and said, "You know, he got into a lot of areas there where there are Virginia State crimes, and we're going to make him available to you and take him before your grand jury and examine him on these crimes before your own grand jury." It seems to me you would have the fruits of the individual.

Mr. Allsbrook. In those cases in which we have the information, we are in a position that we can use certain amounts of the information. But in those cases where we don't know about it, we can't deal with it.

Mr. Rangel. Yes, but how would you suspect that the information was given to a Federal grand jury?

Mr. Allsbrook. It was given through witness immunity.

Mr. Rangel. I know; but why couldn't you pull that same witness in front of a State grand jury?

Mr. Allsbrook. Well, we now, for the first time in the State of Virginia have a regional grand jury which can grant witness immunity. But I'm pointing out, in those cases where you don't know that the testimony has been given and it has been received by a grand jury, how can you take any action, how can you get the witness before your grand jury?

Mr. Rangel. OK. We don't know how common this problem is. We do know that it's very difficult for us to get that type of legislation through the House. We have a Judiciary Committee that the total composition are lawyers, and they have the responsibility of protecting the Constitution as well.

But I would say this—and again, back to the alliance, because the alliance should be trying to find out whether this is a current problem being faced by law enforcement officers that warrant changes in national law.

And what you're saying sounds like constitutional amendment. But, in any event, we will be glad to make certain if we hear from the alliance that these are the types of things that you're thinking about. We will bring it before the appropriate committee and give you people an opportunity to testify as to why you need it. But it's certainly not something that we are able to say at this time that we could do.

Mr. **Allsbrook**. Mr. Chairman, I have one further comment.

To reinforce what Mr. Dempsey said about prevention, I agree with the committee's assessment about eradication in source country. I think it's too big a bite; I don't think you're going to be able to overcome it, for the reasons that have been previously stated.

Interdiction I, too, feel is too big a problem for the resources that you have available, even though the Coast Guard and Customs are doing an excellent job. When you get down to the bottom line, it is an economic situation of supply and demand.

Law enforcement—in my case, since 1969, we have taken up the position in between supply and demand, concentrating on the supply side. And I have seen the problem grow beyond the control of law enforcement in both the State of Virginia and on the national level, too.

I am convinced, in my mind, that to be effective we need to raise the priority of prevention to that equal with the address that we're making in the area of supply. And by that I mean that, just as was previously stated by Mr. Carson, you have to target that potential user who has not yet been approached and made a decision about use of drugs.

You do this several ways. One, you join forces with the National Federation of Parent Movement. You have 6,000 parent organizations. We have approximately 60 in the State of Virginia. We must first educate the parents to know what drugs look like. They have been duped by their kids because they are uneducated as to what drugs look like, what paraphernalia looks like and, most of all, what kids look like and act like under the influence of drugs.

Someone has a responsibility to educate these parents that want to be educated across the country.

The next step which Mr. Dempsey was talking about is in the educational system. Many teachers and administrators are not educated in these same three areas. It may require legislation, while it's on a State level or Federal level, to require teachers to report to school administrators and the administrators be required to report to parents when their kids are in school under the influence of drugs.

Also, the administrator needs to be required by a statute of some type to report to law enforcement when a kid is in possession of drugs.

If you can target the potential user early, provide the intervention that's necessary, maybe in a decade you'll reduce the demand and through the reduction in demand you'll have the reduction in supply. But it's a two-way street. We can't totally ignore the demand side, which I think we have through the last two decades.

Mr. **Rangel**. Well, certainly, we agree with everything that you're saying. The problem is that this administration believes that the things that you're talking about should be local and State initiatives. And if you're talking about prevention, if you're talking about education, then you're talking either about local and State moneys or volunteers, groups, such as the one that you mentioned.

Mr. Allsbrook. I'm talking about national coordination.

Mr. Rangel. Well, President Reagan would call that meddling, and he would imply that you don't need any more Federal redtape, that you people know what your priorities are, and do it. That's why he cut taxes $750 billion, so that you'd be out there to raise taxes where you would want these things done.

We've got a couple of comic books available if you want those. We can get some of those out of the White House. And we'd advise you from time to time to turn in on your local television station, where we'll have some situation comedies there to show the dangers of drugs.

And if you want to pay $2 or $3 a pamphlet, I'm certain that we can get some of those out of the administration. They used to be free, but there's an emphasis on austerity now, and we can sell some of those to you.

Mr. Allsbrook. Mr. Chairman, I'm not sure I understand what you're saying.

Mr. Rangel. I'm saying that——

[Laughter.]

Mr. Allsbrook. Are you saying that we should not take prevention seriously, that——

Mr. Rangel. I'm saying that the administration believes that in the area of prevention, rehabilitation—as a matter of fact, in law enforcement—that these are local and State problems and that the Federal Government should not be expected to fund these types of things.

And what you're talking about will involve Federal funds in order to assist in the education of our youth, to assist in preparing Federal programs for prevention so that kids would understand the danger of these things and would involve Federal funds given to local and State governments for this purpose.

Now, we've got the White House here.

Mr. Leonard. Yes; I think it's directed at me anyhow, Billy.

Mr. Rangel. All right. Would you tell him the problem.

Mr. Leonard. I have no problem at all. It's a national prevention program. It's not a Federal program.

Nobody wants the localities out of it; nobody wants the States out of it. We have targeted private industry, private enterprise very heavily.

Mr. Rangel. There we are.

Mr. Leonard. All right. We've gone after——

Mr. Rangel. But you came to the Congress. What I'm saying is you should go to national industry——

Mr. Leonard. We have.

Mr. Rangel [continuing]. For the charities and——

Mr Leonard. No, no.

Mr. Rangel [continuing]. Church.

Mr. Leonard. There's nothing wrong with going to the church.

Mr. Rangel. He's coming to the Congress.

There's nothing we can do for him; right, Dan?

Mr. Leonard. No. No, no.

I know what Billy is—I know what Billy is saying.

Mr. Rangel. Go to the White House though.

Mr. Leonard. No, no.

I know what Billy is saying.

Mr. Cusack gave everybody the wrong impression, that demand reduction was all important; it is important, but you had to reduce the supply.

Mr. **Cusack**. No, I didn't say it was——

Mr. **Leonard**. Well, I got that impression, Jack, and apparently some others did.

Mr. **Cusack**. Orchestrated.

Mr. **Leonard**. Well, see, demand reduction in the past in the orchestra was a broken drum, nothing came out of it.

Mr. **Rangel**. Hold it. Let's get this back on track.

The previous speaker I think was asking for some Federal assistance in reducing demand. And I think he was saying that prevention and education could be of great assistance since eradication and interdiction was something that we shouldn't expect immediate success.

Was that it?

Mr. **Allsbrook**. I'm saying we need some national coordination in conjunction with the parent movement, to educate the parents—increase the parent movement across the country and to get into the educational system and assist them with setting up model programs in schools.

And when you're talking about model legislation, you're talking about model plans that State education systems can use at both the State and local level. As it is now, it's piecemeal, it's fragmented.

Mr. **Rangel**. OK. Why don't you respond to that, because he said it in his own words.

Mr. **Leonard**. There is coordination coming out of the White House. The parents movement is a very very important part of what we're doing.

The pharmaceutical organizations are a very important part of what we're doing.

McNeil Pharmaceutical has come out with a nationwide prevention program called Pharmacists Against Drug Abuse.

The sheriffs associations have now come out with an anti-drug-abuse book for children.

Mr. **Rangel**. Who's doing that?

Mr. **Leonard**. The sheriffs association.

Du Pont has come out with a kindergarten book.

Everybody seems to be more than willing to get on board, and that's not because of what we're doing. It's because that attitude has changed in this country. We don't have Peter Bourne in the White House anymore. People's minds have changed about drugs.

And slowly but surely, I think we're going to win. It won't happen over night; nobody has ever said we'll do it next year.

Now, that's OK. You're getting everything you asked for.

Have you checked with your local pharmaceutical company or the sheriffs organization, because the White House is on top of this.

I also am a strong believer in interdiction and eradication and the whole nine yards. I'm not saying just prevention.

Mr. **Rangel**. There is not one here that is not for interdiction and they're not for eradication. But there's a general feeling here that they want some support from their government in assisting in prevention.

And you're saying that the White House is encouraging the private sector to do it; right?

Mr. **Leonard**. Well, I know there is some money, and I don't know what the percentage is in the block grants that's mandated to go to State prevention programs.

Mr. **Rangel**. Well, that's not what he said.

Coordination—there's no coordination.

Mr. **Leonard**. Well, I feel that——

Mr. **Rangel**. We don't tell them what to do with that.

If they decide that they don't want to use it for drug rehabilitation, they don't use it for drug rehabilitation.

We used to designate. We used to coordinate. But under the block grant system, we turn it over to the State. And when we turn it over, we don't turn it over with any regard to what their needs are for drug addiction.

So, per capita, some State that has no addicts would get the same per capita amount as New York would.

I'm not saying that that's wrong, Dan. I'm saying that it's different from what a lot of people have been asking for.

I mean, I agree that the churches and the charitable organizations and the drug-producing companies should be doing more. And this administration has been encouraging that. Now, that goes without dispute.

The question is should the Nation, should the Congress be doing more?

And now we're just having a conference about it. I'll take all the help you can give.

You can't take what you don't ask for, you see.

Mr. **Leonard**. Well, I'll take suggestions.

Mr. **Rangel**. That's what we're here for. That's all we're here for.

You know, the comic books came from a suggestion from a conference just like this.

Mr. **Leonard**. I'm not going to comment on that.

Mr. **Rangel**. Well——

Mr. **Wheeler**. Speaking of suggestions, Mr. Chairman, the gentleman from Tennessee was wondering about additional aircraft; we had a memorandum of agreement with the National Guard in Rhode Island.

I mean, it might be worth your while to have someone from that organization come over anyway. It works out quite well.

Mr. **Rangel**. That's great.

Mr. **Wheeler**. We're more successful in our eradication because of that.

Mr. **Rangel**. And we might add we were able to work with the administration to get planes out for California, where they had a big problem there with marijuana eradication, and the committee was able to intercede and, through the administration, were able to bring relief there, and so we are able to help. Again, it's best to go when you can direct me to your Congressperson, but we're here to try to help in that area, too.

Mr. **Wheeler**. The other thing I wanted to mention is the DEA ran a school recently up in Maine with the Maine State Police.

Mr. **Rangel**. That's good.

Can you hear in the back?

VOICE. No.

Mr. RANGEL. The gentleman from Rhode Island is talking about the cooperation that he received from the National Guard, as well as from DEA, in terms of crop eradication; marijuana eradication, I assume. And most all of our States are having problems; it's just a question of degree.

Let me share with some of you who may not know what this bill is on the floor today—and those of you that have time, I hope you would consider stopping by your Member's office. Most of you are veterans to Capitol Hill. You are in one of the three House buildings. This building is called the Rayburn Building, and there's a directory out where you can see your Member's name in alphabetical order, and next to it will be the room number. Where you see anything beginning with a "2," a four-letter—or numbers beginning with a "2," the "2" really means it's in this building, the Rayburn Building, where you would find four numbers beginning with a "1," that would mean it's in the next-door building, the Longworth Building. And the room number would be 1302, third floor. If it's 1101, the first floor; 1401, it would be on the fourth floor, 401.

And where you just see the three numbers, that would be the Cannon Building, which is the third and last building. And, of course, that's the only one that makes sense. What you see is what the room number is. And you can ask anyone for it.

Chairman Waxman has introduced a bill called the Compassionate Pain Relief Act, H.R. 5290. This is to give heroin to terminally ill cancer patients.

The American Medical Association believes that it's not necessary. The Food and Drug Administration would be bypassed in this. DEA, which coordinates the distribution of controlled substances under the law, would be bypassed. The DEA, the FBI, the administration, through the Health and Human Services Administration, Secretary Heckler is opposed to the bill; the hospital workers and pharmacists believe that opening up access to heroin on the local level would represent very serious security problems for them.

The American Society of Internal Medicine opposes; American Medical Colleges, the American Medical Association, and it goes on and on, the hospitals, the hospices, the Parents for Drug-Free Youth; the Justice Department, with all of its agencies.

And we in the Congress that have the responsibility of trying to get cooperation with countries by saying that we don't grow the coca plants, we don't grow the opium, it certainly would embarrass us if these countries were trying to get access to our markets by now saying that their crops are legal and that they would like to do business with the United States and that we do have illicit need for it. And I think we're opening up the door of allowing heroin to be considered what some people believe to become a legalized drug.

So, I know when things get rough for you out there in the field, that you find a lot of sophisticated people saying, "Well, the profits are in it, why not give up, why not legalize it, why not have a Federal dispensation center and just give out the drugs and take the profits out of it?"

Of course, I always agree with them and say that "we're going to open up right next to your home to dispense the drugs," and somehow they like to reevaluate the proposal. Of course, sometimes we wonder just how serious these proponents are. But in any event, this bill is going to be on the floor. And because it's described as the "Compassionate Pain Bill for Terminal Cancer Patients," I think a lot of members might think that they're doing the right thing to vote for it.

If, before you return home, you could stop by your member's office and advocate your opposition to it, I assure you it would carry tremendous weight, because the members would want to do the right thing.

Are there any things that should have been covered that Staff may have suggestions?

Jack?

Any comments you'd like to make, Dan, before we wrap it up?

Mr. **Akaka**. Mr. Chairman, I just want to say here the brief time that I've been here I have enjoyed the discussion. I think this has been very fruitful.

The only thing I want to ask, in case we don't have names——

[Simultaneous conversation.]

Mr. **Rangel**. This has been tremendously helpful to us. And one way or the other, we're going to promise you that we will continue this communication. We're going to try to lock into the alliance that was referred. If for any reason that breaks down, we'll be reaching out sometime early next year and to regroup.

I want to thank the administration for participating in this discussion, for putting us on the right track, for giving support where you think the suggestions were reasonable, and for having that fighting spirit which we enjoy so much in New York City and getting more than we are accustomed to from the White House.

But it's those types of mixtures that we think are healthy. And to each and every one of you, thank you for making this a very successful conference.

[Whereupon, at 3:28 p.m., the conference was concluded.]

[The following was received for the record:]

OPENING REMARKS BY CHAIRMAN CHARLES B. RANGEL; SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL, U.S. HOUSE OF REPRESENTATIVES

Good Morning: On behalf of the Select Committee, I want to welcome all of you here for this conference of State and local narcotics enforcement officials. Twenty-four State and 14 city agencies are represented at the conference today. We are pleased that so many State and local agencies are able to participate, and we thank all of you—many who have traveled great distances—for being here today.

I am also pleased to welcome the participants from the six Federal agencies represented at the conference. These agencies are the principal Federal agencies with drug enforcement responsibilities and include the Drug Enforcement Administration, the Customs Service, the Coast Guard, the Federal Bureau of Investigation, the National Narcotics Border Interdiction System, and the White House Drug Abuse Policy Office.

Throughout the past year and a half, the Select Committee on Narcotics Abuse and Control has conducted a series of hearings and conferences around the country to examine the nature and extent of drug trafficking and drug abuse. In our discussions with State and local law enforcement officials we have been deeply distrubed by two problems that emerge time and time again. First is the lack of resources to meet the overwhelming traffic in illegal drugs and the massive problems of drug related crime. Second is the need for increased cooperation and communication among Federal, State and local drug enforcement authorities.

We have organized this conference to give State and local drug enforcement officials around the country a chance to tell us in the Congress and the Federal Executive agencies what their problems are and how cooperation between the Federal Government and State and local enforcement agencies can be improved. We hope that the opportunity to exchange views and discuss concerns will lead to a constructive dialogue among Federal, State and local narcotics enforcement officials and provide the impetus to develop mechanisms for cooperation that will strengthen drug law enforcement efforts at all levels.

Earlier this year, the Select Committee sponsored similar conferences in South Florida and New York City. As a result of the conference in South Florida, a committee of Federal, State and local law enforcement representatives was formed to help improve coordination of drug enforcement efforts. The meeting in New York impressed upon Federal officials both the extent of the narcotics problem in New York City and the needs of State and local enforcement agencies trying to cope with the massive drug problem.

We are confident that today's conference will increase the awareness of State and local drug enforcement problems and provide a greater understanding of Federal drug enforcement efforts. We look forward to hearing from all of you as we examine how we can better work together to stop the terrible toll of crime that drugs create.

Before we begin our discussions, I invite my colleagues on the Committee to address the conference.

LIST OF ATTENDEES FOR STATE AND LOCAL NARCOTICS LAW ENFORCEMENT CONFERENCE, WASHINGTON, DC, SEPTEMBER 18, 1984

Alabama

Major Jerry Shoemaker, Department of Public Safety.
Inspector Richard E. Townes, Birmingham Police Department.
Lieutenant Charles H. Newfield, Birmingham Police Department.

Alaska

Robert J. Sundberg, Commissioner, Department of Public Safety.

Arizona

Gary S. Phelps, Deputy Director, Department of Public Safety.

California

Lieutenant Michael Wilson, Commander, Vice Control, Oakland Police Department.

Delaware

Major Edward Martin, Delaware State Police.
Captain Robert Shannon, Delaware State Police.

Florida

Commissioner Robert R. Dempsey, Florida Department of Law Enforcement.
Robert L. Edwards, Director, Local Law Enforcement Assistance, Florida Department of Law Enforcement.

Georgia

J.R. Hamrick, Director, Investigative Division, Georgia Bureau of Investigation.
Paul L. Carter, Drug Enforcement Section, Georgia Bureau of Investigation.

Illinois

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STATE AND LOCAL NARCOTICS LAW ENFORCEMENT CONFERENCE SURVEY

The Select Committee on Narcotics Abuse and Control prepared a survey, the results of which would provide background material for the attendees of the State and Local Narcotics Law Enforcement Conference to be held in Washington, D.C. on September 18, 1984. The survey questionnaire was sent to 100 State and local law enforcement agencies who were asked to evaluate Federal cooperation and assistance with respect to a variety of drug law enforcement objectives. They also were asked to identify needs for improved assistance both from and to Federal agencies.

The relevance of Federal drug law enforcement objectives to their own agency objectives was explored, and the respondents were asked to evaluate the impact of

Federal and State cooperative efforts as well as their own solo drug law enforcement operations.

The survey also solicited the respondents' recommendations for improving drug law enforcement policies and strategies.

Forty-three (43) of the 100 agencies solicited returned questionnaire forms. Regrettably, due to an error in printing and assembly, some of the questionnaires sent out were incomplete. Twenty-nine (29) of the 43 returned were complete and are the ones which are summarized in this report.

SUMMARY

Some of the more important conclusions that may be reached as a result of the survey are that most of the law enforcement officials who responded believe that:

The Federal Organized Crime Task Force (OCDE) and the National Narcotics Border Interdiction System (NNBIS) are considerably less cooperative with them than are the individual Federal law enforcement agencies, and the agencies as a group are less cooperative than the State and intrastate narcotics enforcement groups and the DEA/State/local task forces.

The most pressing needs for Federal assistance to State and local agencies appear to be for funding to support drug law enforcement operations and for improved exchanges of information and intelligence. They believe that they have valuable information and intelligence of a localized or specialized nature that Federal agencies could make better use of.

Although some Federal agencies accept State and local information and intelligence, as well as other types of cooperation and assistance, the lack of appropriate feedback from some Federal agencies is an irritant to the State and local agencies.

State and local priorities should be placed upon improvement of interagency intelligence and information communication, improved funding for law enforcement personnel, and technical support. There was a high level of agreement that use of the National Guard for drug law enforcement support should be either a very low priority or not considered at all.

Federal priorities should be to improve intelligence and information communication with State and local agencies; technical and personnel support to State and local agencies; and centralized coordination of all Federal/State and local drug law enforcement efforts.

Almost all of the agencies agree that they have insufficient budget and personnel to properly carry out their drug law enforcement responsibilities.

ASSESSMENT OF COOPERATION RECEIVED

The first group of questions asked the respondents to evaluate the cooperation and assistance received from the various Federal Task Forces on Crime, State and intrastate narcotics groups, and seven Federal agencies that are involved in drug law enforcement. They were asked to evaluate each agency with respect to six functions.

An index of cooperation was derived from the number of favorable and unfavorable responses. A score of 100 would represent only favorable responses, and a score of 0 would represent only unfavorable ones. The following tables provide the indices for each agency and for each of the six functions.

Index of agency cooperativeness

U.S. Coast Guard	93
Drug Enforcement Administration	87
U.S. Customs Service	83
DEA/State/local task forces	82
State and intrastate narcotics enforcement groups	81
Bureau of Alcohol, Tobacco and Firearms	80
Organized Crime Drug Enforcement Task Force	62
Federal Bureau of Investigation	60
Internal Revenue Service	54
National Narcotics Border Interdiction System	45
Immigration and Naturalization Service	30

The Coast Guard and DEA rank as the most cooperative agencies, closely followed by the Customs Services, the DEA/State/Local Task Forces and BATF. The next cluster consists of OCDE and FBI. The latter's cooperativeness is felt to be deficient in the area of sharing of intelligence and information. IRS, NNBIS and INS appear to be seriously unresponsive according to the survey respondents ratings.

Assessment of cooperation by function

As will be noted in the next table, when the agencies are clustered into three categories, the older cooperative arrangements such as the DEA/State/Local Task Force and State and Intrastate narcotic enforcement groups are ranked as most cooperative. Individual Federal agencies, although varying widely, are the next best group; and the newer groups such as NNBIS and OCDE have yet to be recognized as being sufficiently cooperative by State and local law enforcement agencies.

	State and intrastate DEA/State/local TF	Federal agencies	OCDE NNBIS	All
Joint operations	87	80	64	79
Tactical/operational support	82	77	50	73
Training availability	90	85	44	71
Technical assistance	80	71	59	70
Intelligence/information exchange	81	61	54	64
Equipment availability	69	56	48	57
Overall	82	72	53	69

Joint operations, operational support and training availability appear to be the areas in which cooperation is best, while sharing of intelligence and equipment is less satisfactory.

The correlation between the rankings given to the first two groups in this table is high and positive (.93), indicating that the respondents tend to perceive them in the same way in terms of their cooperativeness. However, correlations between each group and the OCDE-NNBIS group are moderate and negative (-.20, -.26), suggesting that cooperation issues with the two members of the third group differ in a major way from issues affecting the other groups. The nature of these differences in relationships of OCDE and NNBIS with State and local law enforcement agencies probably should be examined in some detail.

KINDS OF ASSISTANCE NEEDED

Most respondents stated a need for improved funding, information, equipment or some combination thereof. Specificly cited were:

	Number of requests
Greater availability of funding for operations, information, equipment	10
Improved exchange of information, intelligence, communication, liaison	10
Better equipment availability	8
Federal manpower, investigative support, technical assistance	8
Other: prosecutorial support, out-of-state contracts	3

Specific recommendations for the Federal agencies included:

Many OCDE cases need not be so designated—they are—or should be local cases.

Provide support funding for drugs other than marijuana eradication.

Develop better two-way communications between Federal agencies and State/local agencies.

Federal agencies should provide for loan of technical equipment—or otherwise make equipment more easily available to State/local agencies.

Provide for exchange of supervisors.

Improve intelligence exchange methods—now inhibited by agency policies, privacy act, FOIA; etc. Hold monthly intelligence briefings—liaison officers—quarterly meetings between State/Local and DEA, FBI, IRS supervisors.

There is an urgent need for law enforcement to be as organized as organized crime is.

Additional DEA presence should be provided in our States.

Federal agencies need to develop a cooperative attitude. DEA and ATF cooperation tends to be good, but it appears to be a one-way street for FBI and IRS. Intelligence and information exchange should be reciprocal.

AVAILABILITY OF STATE/LOCAL ASSISTANCE TO FEDERAL EFFORTS

The respondents were asked what kind of assistance they were prepared to offer the Federal effort. Twenty-six respondents offered to share localized and other specialized intelligence with Federal agencies, twenty-four offered some sort of manpower assistance, four offered "cooperation and assistance." Also there were offers of locally owned equipment, training, and experience in special investigative areas. When asked if such assistance had been offered and accepted, the respondents replied as follows:

	Yes	No
Has such assistance or cooperation been:		
Offered?	28	1
Accepted?	28	1
Utilized?	28	1
Have you received appropriate feedback from the using agency?	21	7

Comments to this question suggest that when assistance is offered and accepted, the lack of feedback from the using agency becomes an irritant. DEA and ATF were frequently commended, but FBI and IRS were often cited as failing to provide appropriate feedback—or even thank yous.

IMPORTANCE OF LAW ENFORCEMENT OBJECTIVES

Five types of drug law enforcement objectives were presented to the respondents, and they were asked to assess them in terms of importance to their agency. The results are listed below, on a scale of 1 to 5, with five being most important.

Interdiction of drug smuggling	3.0
Penetration, apprehension/prosecution of drug trafficking organizations	5.0
Apprehension of "street peddlers"	3.0
Reduction/elimination of drug related violent crimes	2.5
Investigation/elimination of money laundering	1.5

Who should have *primary* responsibility?

	State or local	Federal operation	Joint Federal State local operation	Total percent
Interdiction of drug smuggling	0	41	59	100
Penetration, apprehension/prosecution of drug trafficking organizations	4	0	96	100
Apprehension/prosecution of "street peddlers"	93	0	7	100
Reduction/elimination of drug-related violent crimes	3	18	79	100
Investigation/elimination of money laundering	22	6	72	100

The results in the preceding two tables suggest that penetration, apprehension/prosecution of drug trafficking organizations be given top priority as a joint Federal/State/local activity. Second priority should be shared by smuggling interdiction and street peddler apprehension, with the latter being primarily a State and local effort and the force of Federal effort with State and local assistance as needed. It is interesting to note that most of the respondents would yield reduction of drug-related violent crime to Federal/State/local task forces rather than handling on a State or local level.

EFFECTIVENESS OF LAW ENFORCEMENT EFFORTS

Respondents were then asked to give their impression of the impact of law enforcement efforts to date upon each of the listed objectives. Responses were scored: Major improvement, +2; Minor improvement +1; No impact, 0; and Worse, −1.

The results were normalized on a scale of 0 to 100 in which 0 is no improvement and 100, be given if all respondents noted a major improvement. The average scores follow:

	Agencies operating solo	Cooperation with other State/local agencies	Federal task force operations	Non-task force Federal assistance
Objective:				
Interdiction of drug smuggling	40	43	45	50
Penetration, apprehension of drug trafficking organizations	53	53	54	43
Apprehension/prosecution of street peddlers	89	45	13	23
Reduction/elimination of drug related violent crime	44	38	46	24
Money [illegible]dering investigation	25	32	47	30

The greatest success appears to be of agencies apprehending/prosecuting street peddlers. Penetration, and apprehension of drug trafficking organizations by agencies acting alone, or in concert with other agencies appear to be moderately successful as does interdiction of drug smuggling.

Both task force and solo operations appear to have had modest success in reducing drug related violence, and the task force seems to be the only alternative showing moderate success in money laundering investigation. Several agencies who checked 'other' included marijuana eradication and diversion of legal substances. Both of these types of activities were very successful when performed by the agency alone or in cooperation with other non-Federal agencies.

POLICY—STRATEGY RECOMMENDATIONS

The respondents were then asked if they felt that it would be advantageous to have a single official to coordinate all Federal drug law enforcement activities. Seventy-eight percent of the 29 who responded to this question said yes. When asked if a single State official should coordinate all State drug law enforcement activities, 81% agreed that it would be a good idea.

The respondents also were asked to rank their priorities for State and Federal approaches to the drug law enforcement problem. The following tables list the highest and lowest ranking priorities for State and the Federal governments. The number in parenthesis after each item is the number of respondents who chose it as highest (left column) or lowest (right column) priority.

PRIORITY RATINGS FOR STATE GOVERNMENTS

Highest priorities (Rank 1 or 2)	Lowest priorities (Rank 7, 8 or N/A)
Funding for more law enforcement personnel (21)	More National Guard Support (15).
Interagency intelligence/information between law enforcement agencies in my state (10).	Additional prevention/treatment funding (13).
Funding for technical support to law enforcement agencies (10).	Legislation to stiffen penalties for narcotics and narcotics related violations (12).

PRIORITY RATINGS FOR THE FEDERAL GOVERNMENT

Highest priorities	Lowest priorities
Improve intelligence/information exchange with State and local agencies (19).	Assure funding for more Federal prosecutors and judges to prosecute narcotics cases (16).
Technical support or personnel resource availability to State and local programs (19).	Central coordination of all Federal/State/local narcotics law enforcement (11).
Central coordination of all Federal/State/local narcotics law enforcement (9).	Federal training for State and local police and prosecutors on narcotics law enforcement and prosecution (9).

It is quite clear that the greatest expressed need is for more or better communications and intelligence, not only between Federal and State/local agencies, but between the State and local agencies themselves. There is a feeling that the States sought to provide more funding for law enforcement personnel and for technical support. There seems to be little support for the utilization of the National Guard to assist in drug law enforcement.

The Federal government is asked to provide training, technical support and personnel resources to the respondents.

There appears to be some ambiguities in the above priority ratings. There is a wish for higher prosecution priorities for narcotic and narcotic related crimes, but funding for prosecutors and judges to prosecute those cases is given the lowest priority. Another option that ranked in both the highest and lowest priority was the provision of a central coordination of Federal/State and local drug law enforcement and prosecution—a proposition favored by 78% of the respondents.

Although one of the items with the lowest State priorities was for additional funding for prevention and treatment, only one of the respondents rated drug abuse programs as being of no use. Three others rated prevention programs as "somewhat useful," and the remaining 25 felt them to be "very useful".

A lesser degree of usefulness was expressed for citizen watch programs: 16 very useful, and 13 somewhat useful. None felt it to be of no use.

RESOURCE AVAILABILITY

Personnel

When asked if their agency has on board sufficient enforcement personnel to effectively meet its drug law enforcement responsibilities, 72% said they need more personnel, and the remaining 28% stated they had barely sufficient personnel. None agreed that they had sufficient, or more than an adequate number of personnel aboard.

Funding

When asked if their operating budget was sufficient for meeting their drug law enforcement responsibilities, 86% said their funding was insufficient, and the remaining 14% had barely sufficient funding for drug law enforcement activities.

When asked to describe the allocation of funds to their agencies for drug law enforcement, eleven said there were too many strings attached to Federal funds, and one said the same for funds from State sources. Nine felt there were guidelines, but no restrictions for Federal fund expenditures, and nineteen felt the same way about State source funds. No agency checked "No Restrictions" for either Federal or source funding but four did for State source funding. Interestingly enough nine of the 29 agencies indicated that they had no Federally provided funds this past year (except for the DEA marijuana eradication project), and 6 said they had no State source funding during the same period.